

ing the gift tax. I understand the Senator from North Carolina [Mr. SIMMONS] will be ready to take up the surtax to-morrow morning.

I ask unanimous consent that the Senate take a recess until 12 o'clock to-morrow.

There being no objection, the Senate (at 6 o'clock and 50 minutes p. m.) took a recess until to-morrow, Saturday, May 3, 1924, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, May 2, 1924

The House met at 11 o'clock a. m., and was called to order by Mr. MAPES, as Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We praise Thee, O Lord, for all Thy impartial benevolence, for the Fatherhood of God, and the brotherhood of man. We thank Thee that Thy love is infinitely broader and deeper than the measure of man's mind. In Thy holy name may all error give way and righteous truth survive. O help truth to absorb all the little meanings that we can give the word. Direct the citizens of our land and fortify them against all the threatened inroads of destructive materialism, of selfishness, of bigotry, and hold our country close to the great truths of our Christian faith. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE

Mr. BEGG. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Ohio makes the point of order that there is no quorum present. Evidently there is not.

Mr. LONGWORTH. Mr. Speaker, I move a call of the House. The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Abernethy	Elliott	Lyon	Schneider
Anderson	Fairfield	McClintic	Scott
Anthony	Fayrot	McFadden	Sears, Fla.
Bacharach	Fish	McKenzie	Sears, Nebr.
Barkley	Freeman	McNulty	Sites
Bell	French	Magee, Pa.	Snell
Berger	Funk	Major, Ill.	Snyder
Black, N. Y.	Gallivan	Mansfield	Sproul, Ill.
Boylan	Garber	Mead	Stalker
Brand, Ohio	Garrett, Tex.	Merritt	Stengle
Britten	Geran	Michaelson	Strong, Pa.
Browne, N. J.	Gilbert	Miller, Ill.	Sullivan
Buckley	Glatfelter	Mills	Summers, Wash.
Burdick	Goldsborough	Mooney	Sweet
Burton	Graham, Pa.	Morin	Swoope
Butler	Greene, Mass.	Mudd	Taber
Byrnes, S. C.	Hardy	Murphy	Tague
Campbell	Harrison	Nelson, Wis.	Taylor, Colo.
Carew	Hoch	Newton, Mo.	Taylor, Tenn.
Clague	Howard, Okla.	O'Brien	Tincher
Clancy	Hull, Tenn.	O'Connell, N. Y.	Treadway
Clark, Fla.	Hull, William E.	O'Connor, La.	Tucker
Clarke, N. Y.	Humphreys	Oliver, N. Y.	Tydings
Cole, Ohio	Johnson, Ky.	Oliver, Ala.	Upshaw
Connery	Jost	Paige	Vare
Connolly, Pa.	Kahn	Park, Ga.	Vestal
Cook	Kearns	Phillips	Ward, N. C.
Corning	Keller	Porter	Ward, N. Y.
Cullen	Kelly	Quayle	Wason
Cummins	Kendall	Ransley	Weller
Curry	Kless	Reece	Welsh
Davey	Kindred	Reed, W. Va.	Wilson, La.
Deal	Langley	Reld, Ill.	Wilson, Miss.
Dempsey	Leatherwood	Robinson	Winter
Dickinson, Iowa	Leavitt	Rogers, Mass.	Wood
Dickstein	Lehbach	Rogers, N. H.	Wurzbach
Dominick	Lindsay	Romjue	Wyant
Doughton	Little	Rosenbloom	Yates
Drane	Logan	Schafer	Zihlman
Edmonds	Luce	Schall	

The SPEAKER. Two hundred and seventy-three Members have answered to their names, a quorum.

Mr. LONGWORTH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Welch, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2998. An act providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex., in cooperation with the United States of Mexico; and

S. 2572. An act to purchase grounds, erect and repair buildings for customhouses, offices, and warehouses in Porto Rico.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7959) to provide adjusted compensation for veterans of the World War, and for other purposes.

SENATE BILLS REFERRED

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2998. An act providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex., in cooperation with the United States of Mexico; to the Committee on Irrigation and Reclamation.

S. 2572. An act to purchase grounds, erect and repair buildings for customhouses, offices, and warehouses in Porto Rico; to the Committee on Insular Affairs.

RAILROAD LEGISLATION

The SPEAKER. By special order of the House the gentleman from Indiana [Mr. SANDERS] is recognized to address the House for 30 minutes.

Mr. SANDERS of Indiana. Mr. Speaker, I ask unanimous consent to speak for 7 minutes in addition to the time I have been already granted.

The SPEAKER. The gentleman from Indiana asks unanimous consent that his time be extended for 7 minutes. Is there objection?

There was no objection.

Mr. SANDERS of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. SANDERS of Indiana. Mr. Speaker, on Monday, May 5, an attempt will probably be made to carry a motion to discharge the Interstate and Foreign Commerce Committee from the consideration of the Barkley railroad labor bill.

Under the rule but 10 minutes on each side is permitted to enlighten the House as to the advisability of taking this drastic step. It is my purpose to discuss the merits of the Barkley bill in the hope of bringing to the House an appreciation of the magnitude of its importance. The bill is composed of eight complicated sections and covers 35 pages. Its far-reaching effect is not apparent on the face of the bill but becomes manifest when considered with knowledge of labor controversies which have arisen between railroad labor on the one hand and the carriers on the other, and also controversies within labor circles.

The membership of the House, if considering the bill reported with accompanying hearings, could obtain from the hearings the information needed for a thorough understanding of the bill. Since it is sought to bring this measure up when no hearings have been held, it seems to me that it is important to bring to the House such supplemental information as will make clear the purpose and effect of the Barkley bill.

This bill is announced by its authors as "Old successful law brought down to date." It was not prepared by Mr. BARKLEY, but was created in the manner indicated by the following statement of its sponsors:

Preparatory work on the bill: Before presenting their ideas to Members of Congress, the railway labor organizations felt it their duty to work out their solution of this problem to present a united, constructive program, to attempt to solve their own problems, not to ask Congress to lead them paternally into the paths of good citizenship, but to show their readiness and ability to find these paths themselves. Although legislation of the character now under consideration has heretofore been opposed by the railway employees they are mindful of the general trend of public thought toward the railroad problem and, having regard for the situation and in their own self-interest, they are as a unit in support of the program contained in the Howell-Barkley bill.

For 18 months they labored in committees and conferences to develop their program. During the last nine months they consulted with their attorneys in order to shape their ideas in accordance with sound legal precedents and to express them in appropriate and unmistakable language in order that the letter of the law might express its spirit.

The railroad labor question involves three parties—the employees, the carriers, and the public. It is exceedingly unfortunate that the House of Representatives will be called upon to decide, after a debate of 10 minutes on each side, whether it shall

act upon legislation which has required 18 months for one of the three parties to formulate. I say this because although there may be discussion in its further consideration by the House, yet every legislator of experience knows that it must be taken or rejected as it is. A bill of this magnitude can not be rewritten on the floor of the House.

This bill comes to the Congress with a divided support of the laborers who would be affected by the bill—the majority of the national organizations favoring it. It is the third drive made since the end of the war by certain railroad labor unions to induce the enactment of comprehensive legislation relating to transportation. The first drive was for the so-called McAdoo five-year plan for extended Government operation. This occurred during Government control of railroads, and after the advisability of terminating Federal control was being strongly urged. This drive failed. The overwhelming public sentiment brought about the termination of Federal control. The second drive was for the enactment of the Plumb plan, by which it was proposed to take over the roads by a Government corporation and to divide the profits of transportation between the employees on the one hand and the Government on the other. This effort failed. Its author, Mr. Glenn E. Plumb, a lawyer of great ability, devoted to the interests of the railroad employees, who were his clients, has since died. The chief sponsor of this legislation is the successor of Mr. Plumb, Mr. Donald R. Richberg.

I believe thoroughly in organized labor. It is not always in the right. Sometimes wrongful acts are done by some of its individual members, who number into the millions. But great good has been done by organization to better wages and working conditions. I am not in sympathy with those who criticize union-labor leaders for their activities in behalf of, or in opposition to, legislation affecting employees. They are aggressively looking after what they conceive to be their constituents' interests. All other great interests in the country pursue the same general course. The particular course in forcing this bill onto the floor of the House does not meet with my approval. But a measure coming from but one of a three-party interest, inspired by its councils, molded in its conferences, drafted finally by its lawyer, which it is proposed to put through by a direct appeal to the House over the head of the committee to which it has been referred, warrants extraordinary scrutiny regardless of which of the three parties in interest may be its sponsor. [Applause.]

The essential features of the Barkley bill are as follows:

First. It wipes off the statute books all existing legislation respecting railroad labor controversies.

Second. It undertakes to provide compulsory conferences between carriers and their employees under ironclad conditions which never before have been written in any law, and in the very nature of things can not be practically formulated into law.

Third. It creates equipartisan conference boards with a total personnel of 40 members, patterned in a general way after the plan of the railroad administration during the war, yet clothed with the formality and sanctity of a governmental tribunal, the individual members of which are each given far-reaching inquisitorial powers, with no actual power as to settlement of disputes. The boards are without jurisdiction to consider controversies as to amount of wages or what rules or working conditions shall govern.

Fourth. It creates a board of mediation and conciliation, which has no initiatory powers, and whose chief and only function is to urge the parties to conciliate their difficulties, and in event of failure to do so, to try to persuade them to arbitrate. If they agree to arbitrate the board does not arbitrate, but is given certain powers to assist in effecting the appointment of arbitration machinery and in securing for the arbitration boards the necessary witnesses and other evidence.

Fifth. It brings to the jurisdiction of the labor-controversy machinery many employees, carriers, and outside associations, which have not hitherto been under the jurisdiction of the Railroad Labor Board.

Sixth. By a carefully worked-out plan it intends to accomplish for the railroad employees the closed shop as a matter of law by excluding from representation on any of the adjustment boards any employees not nationally organized.

Seventh. It writes into law an artificial classification of employees which was made by the Interstate Commerce Commission solely for the classification of labor-cost data, supplemented by certain additional provisions, which classification will be binding upon the carriers but may be modified by the organizations. In the new proposed classification the effect of the administration of the law is intended to draw into the labor organization shop foremen and many other classes of

employees who have hitherto not affiliated with such organizations, and which affiliation would have a tendency to destroy the proper discipline necessary for carrying on the transportation work.

Eighth. The public is absolutely excluded from representation in determination of wage controversies except in agreed cases of arbitration.

Ninth. The result of the wage controversy can not be made dependent upon the effect it would have upon the cost to the public for carriage of freight and passengers.

Tenth. The expense of the adjustment boards, which will be equipartisan in their nature and are meant to be simply a more or less formal continuation of the effort of the parties to agree, are to be borne by the Government and the appropriation of \$500,000 for the first month or two is made. The expense, on a low estimate, would run to over a million dollars a year.

I do not know that we now have the most effective and just machinery for dealing with railway labor controversies which could be devised. I am quite inclined to think that the present method can be improved upon. But this bill would be immeasurably worse than no law on the subject and would demoralize the transportation system.

The railroad labor controversies have brought about the most difficult and trying situations which have confronted the Government. They have extended over a long period of time and have been particularly acute during the last quarter of a century, and the fact that everything is not harmonious now and that the arrangement does not meet with universal approval does not argue against the present method.

The Railroad Labor Board, created at the time of the passage of the transportation act of 1920, had a most unfortunate situation with which to deal. Railroad labor had been aggressively fighting against the passage of the transportation act of 1920. This had been carried to the extent of urging President Wilson to veto the entire law. On the day that President Wilson signed the transportation act of 1920 in a letter to the railroad labor unions the President said:

I can not share the apprehension of yourselves and your constituents as to the provisions of the law concerning the labor board. I believe those provisions are not only appropriate in the interest of the public, which after all is principally composed of workers and their families, but will be found to be particularly in the interests of railroad employees as a class. * * * My hopes are that the putting into effect of these provisions of a carefully selected labor board, whose public representatives can be relied upon to be fair to labor and to appreciate the point of view of labor—that it is not longer to be considered as a mere commodity—will mark the beginning of a new era of better understanding between the railroad managements and their employees and will furnish additional safeguards to the just interests of railroad labor.

With their prejudice against the board, the employees were lukewarm about its success. Some of the carriers were disappointed in not securing antistrike legislation and hence were not enthusiastic about the Railroad Labor Board.

The first important decision of the Railroad Labor Board was issued July 20, 1920, and made retroactive, effective as of May 1, 1920, and increased the pay roll \$650,000,000 annually. On July 1, 1921, the board made a reduction, taking off of that \$650,000,000 about \$448,000,000, leaving an increase in the annual pay roll of \$202,000,000 in excess of that paid during the Government control of railroads. Since that time increases in pay to various classes of employees have been made by individual railroads in numerous instances. When it is remembered that the increase after January 1, 1918, during governmental control in the annual pay roll of employees amounted to \$965,000,000, it can not be contended that the agencies of the Government during and after Federal control have been unmindful of needed increases in pay.

There seems to be an impression in some circles that railroad labor is much overpaid. I do not share that view. I think there are instances where certain classes of employees are paid more, according to the usual standard, in comparison with certain other classes of railroad employees, than is justified, but the comparatively small number of men who leave railroad employment in the usual course corroborates the opinion that as a class railroad labor is certainly not poorly paid.

My view of the situation is that the present Railroad Labor Board should not now be disturbed. More time should be given before even amending the present law.

It is urged against the present railroad labor law that many of the railroads refused to join the employees in creating boards of adjustment. The truth about the matter is that the national organized employees desired the formation of national boards

of adjustment copied after the plan carried on by the Railroad Administration. Many of the roads concluded that the formation of such adjustment boards was not wise because the boards of that type had a tendency to lose contact with the conditions of the particular locality where the disputes arose, and that such boards tended to make a national standardization of conditions without regard to difference in local situations. That the attendance upon conferences consumed unnecessary time and money, and that the existence of these boards invited appeals for slight alleged grievances.

However the present railway labor act did not require the boards of labor adjustment to be established but merely made them permissive, and required the Railroad Labor Board to assume original jurisdiction of the grievances where no adjustment board was provided. Many of the carriers have established boards of adjustment or other similar agencies, and the relations existing at the present are as harmonious as at any time for many years.

It is proposed by this bill to organize four national adjustment boards, two to be composed of 14 members each, and two of 6 members each. These boards are to have equal representation of employees and carriers. The appointment is to be made by the President, but he must select from the nominations made by the carriers and these different national labor organizations. The public is to have no representation and each board will be composed of an even number, and being equally divided in sentiment as between carriers and employees will, of course, deadlock on every important problem presented to them. Even if one side should happen to win one vote from the other side so as to have a majority, no decision of the board is binding. It is difficult to see how this cumbersome machinery, which is to be forced upon the carriers, would help in the amicable adjustment of the controversies over which the board is given jurisdiction. If a railroad company desired local adjustment of its troubles with its employees, it could entirely ignore the action of any of these national adjustment boards. No power is given to the national adjustment board to enforce its decrees.

It is urged that the national adjustment boards were tried out by the Railroad Administration during the war. There is quite a sharp division of opinion as to the value of national adjustment boards during the war, and they certainly had their attendant evils as well as their good points.

But the argument that adjustment boards during Government control succeeded and that therefore they must succeed under private control is absolutely fallacious. The fallacy is apparent to anyone who will analyze and compare the two situations. The adjustment boards under Government control were the creations of the director general, who acted for the roads and had the power of approval or disapproval of every decision. He stood in the place of the carriers and could increase or decrease wages, and could discharge or retain employees. The carriers did not depend upon their revenues, but were paid a stipulated return by the Government irrespective of earnings. In other words, all of this machinery was his own, which he could control at will. Under private control, unless the adjustment boards act under the full sanction of both carriers and employees their work is fruitless and simply constitutes lost motion in the economic world.

Aside from the cumbersome, trouble-making, power-lacking method of adjustment, these proposed boards do not have jurisdiction over controversies in which the public has the greatest interest; namely, increase and decrease in pay and changes in rules and working conditions. That is the great affirmative harm done by the proposed destruction of the present machinery and the substitution of this new machinery. The things that caused the interruption of transportation and that affect freight rates are thrown back where they were, to be adjusted between the parties. The adjustment boards and the boards of mediation and conciliation have no power or authority to investigate a dispute involving these questions, and no machinery is provided by law for making such investigations except the hazy provision for the creation of an arbitration board in the event that the parties decide they desire to arbitrate.

If the evil in the Railroad Labor Board is lack of power to enforce its decrees, all of these instrumentalities have the same evil. If dissension was caused by the Railroad Labor Board because there were representatives of both the carriers and employees who took partisan rather than judicial views, then each of these boards of adjustment inherits the same evils. But the one power given the Railroad Labor Board of great value to the public—namely, the power to investigate labor disputes involving wages, irrespective of the desires of the parties thereto—is lost when the old law is destroyed and the new one created. We lose the one thing of

value; we gain nothing in its place. It is a backward step which constitutes a strike-inviting situation.

This fight to retain some semblance of Government supervision as to labor costs which enter into the cost of transportation paid by the public overshadows any mere dispute between labor and railroad capital. It is a fight for the preservation of private operation of transportation. The labor charge constitutes 55 per cent of the entire cost of transportation. When it is remembered that in 1921 the net railway operating income was but \$600,000,000, and that in that year the demand for increases was \$1,100,000,000, instead of the \$650,000,000 granted, it is easily seen that to have granted the full demand would have meant either increased freight rates or meant the destruction of private operation of the railroads.

The history of the settlement of the disputes under the Erdman and Newlands Acts discloses that there was not a single important arbitration where the decision rendered could adversely affect the employees as to the existing status at the time of the arbitration. In other words, the questions which the parties agreed to arbitrate were questions as to whether wages should be advanced or rules and working conditions should be modified in a beneficial way for employees. In notable instances they refused to arbitrate disputes where changes beneficial to them were demanded. The carriers likewise refused to arbitrate in other instances, particularly where their contentions for changes could not also be arbitrated. This proposed law, according to its author, aside from the boards of adjustment and for conferences between the parties, is a substantial reenactment of the Erdman Act and the Newlands amendment.

The boards of national adjustment are created by this proposed law for the purpose of considering complaints of the employees that the carriers have violated an existing contract.

The power in the carrier to interpret the contract by paying the amount of wages and enforcing the rule and working conditions according to its interpretation makes unnecessary the presentation by the carrier of any complaint or grievance against the employees. But the labor provisions of the act of 1920 assure hearings of such complaints or grievances by the employees through adjustment boards and the Labor Board on the one hand or the Labor Board originally on the other hand.

Notice the significance of the machinery here builded up. It is a machinery affording employees a place to litigate every grievance which they may have. It is a machinery which, in the very nature of things, would not be appealed to by the carrier. It is a machinery in which the public has no voice, and the Board of Mediation and Conciliation has for its function the attempt to get the carrier to change its interpretation of the contracts existing or to get employees to abandon their claims that violations have been made. The Board of Mediation and Conciliation may urge the employees and the carriers to arbitrate. But the machinery provided is substantially the same as provided in the Erdman and Newlands Act, and the employees, according to the history of those acts, would never submit to arbitration any question except the advancement of wages and a change in rules and working conditions beneficial to them.

Let us look into the detail organization of these governmental tribunals.

1. They are to be paid \$7,000 each per year, which means an annual cost of \$280,000.
2. The secretaries are to be paid \$4,000 each, an annual cost of \$16,000.
3. The five commissioners of mediation and conciliation are to be paid \$12,000 each, an annual cost of \$60,000, making a total of \$356,000.
4. The boards may employ and fix the salaries for such employees as may be necessary. In other words, they determine not only the number of employees but how much they shall be paid (bill, p. 12).
5. Boards of arbitration brought into being may employ such assistants as they deem necessary and fix compensation.
6. The Board of Mediation and Conciliation employs and—fixes the compensation of such attorneys, assistants, special experts, clerks, and other employees as it may from time to time find necessary for the performance of their duties.

I have never seen such a raid on the Public Treasury as is here proposed.

Look at the unusual powers given not the adjustment boards but the individual members. Two of them may conduct hearings; any one of them—

shall at any time for the purpose of examination require the production of or have access to and the right to copy any book account, record, paper, correspondence, or memoranda relating to any matter which the board is authorized to consider.

Anyone denying this inquisitorial power is subjected to a penalty of \$500 per day. My friends, the difficulty about this measure is that it starts out to write into law what can not be written into law. It is based upon the theory of collective bargaining. I believe in collective bargaining, but you can not write it into law, because bargaining means a voluntary contract between two parties, and there is an attempt here to write into law the requirement that whenever an employee has a complaint against a carrier, the carrier must go and negotiate with him any place along the line in the way that the organization sees fit. The carrier is denied any right to deal with the employees with respect to choosing any of their representatives. It may be that the closed shop is a desirable thing. I am not going to discuss that, but you can not write it into law. It was never undertaken before. It may be that the one big union is a good thing. It may be that all employees of railroads ought to be in this union. I am not going to discuss that, but you can not write it into law. It is not susceptible of being written into law. The very nature of it forbids it.

My friends, this bill will work havoc with the private transportation in the United States. We have the very "era of better understanding between the railroad managements and their employees" predicted by President Wilson when he signed the transportation act of 1920. Shall we destroy all that has been accomplished because perfection is not found? The sponsors of this bill urged five-year Government control; they urged the Plumb plan; Mr. Rieberg himself believes in Government ownership. I do not.

Our transportation system is in the best condition it has been in for many years. The roads are carrying a greater tonnage than ever before. The train service is good. Car service is good. The equipment is in fine repair. We ought not disturb this condition. The employees are entitled to more of the glory and credit for this than anyone else. But it has been brought about under the present law. Leave this tribunal created by the present law. After it has had further trial amend it where helpful amendments can be made. The Congress must represent the public interest. The carriers have their legislative representatives; the organized laborers have theirs. It is our peculiar function to represent the public and give the very best transportation service consistent with just and adequate pay and proper working conditions to the employees with tribunals for their relief on which the public has representation. In the long run, in defeating this motion to discharge this committee and preventing the enactment of this law, we will render a service to America that it is difficult to express in words. I wish these great economic principles had the appeal in them that some of the emotional questions like the soldier legislation has. I am sorry they do not, because the happiness and the prosperity of our people throughout the entire country, in every village and hamlet, on the farm and in the city, all depend upon taking the right course in these great fundamental economic questions. When you are called upon to act, if you act wrongly, you are doing the country a great injury, and if you act rightly and vote according to the principles of economic justice, you advance the happiness and the prosperity of all our people throughout all the land. (Applause.)

The SPEAKER. By special order of the House the gentleman from Massachusetts [Mr. WINSLOW] is given permission to address the House for 30 minutes. [Applause.]

Mr. WINSLOW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. WINSLOW. Mr. Speaker, I ask unanimous consent to continue for 10 extra minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to speak for 10 extra minutes. Is there objection. [After a pause.] The Chair hears none.

Mr. WINSLOW. Mr. Speaker and Members of the House, some days ago the gentleman from Kentucky [Mr. BARKLEY] took out a petition, which he signed, for the purpose of discharging from the Committee on Interstate and Foreign Commerce a bill known as the Barkley bill, or the Howell-Barkley bill. The petition was properly signed; and we expect, on Monday next, May 5, that the petition for discharge will be taken up under the provision of the new discharge rule. It is not my purpose, after the very clear statement made by the gentleman from Indiana [Mr. SANDERS], to discuss the subject matter of the bill. I do, however, feel it is highly desirable that the Members of this House come to know as much as possible of the reasons why it may be unwise to withdraw the bill or to discharge the committee and for Members to get

information which may help them in arriving at their conclusions. I voted against the discharge rule which made the discharge possible, and I did it because I foresaw, or thought I did, occasions which might arise under its provisions which would be very unfortunate and which might make the House regret its existence.

I was not alone in feeling that way among the members of our committee. In order that we may have the views of two persons, both members of the Interstate and Foreign Commerce Committee, on the merits of this proposed method of legislation, I ask permission to have read, in my time by the Clerk, some utterances of the gentleman from Kentucky [Mr. BARKLEY] when the consideration of this discharge rule was before the House, and, if it is quite in order, I would like to have marked portions of two pages of the CONGRESSIONAL RECORD read, and I wish to say, in order to forestall any query which may arise in anyone's mind, that I have not selected only parts of Mr. BARKLEY's utterances which would favor my contention, but have marked all that I thought bore on the subject at that time before us and such as will furnish information to the House.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the Clerk read portions of Mr. BARKLEY's remarks. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

In view of the position I take I desire to call attention to a few practical situations which we might as well face. I deny that any Member or every Member in this House has an inherent right to have every bill he introduces brought before the House for consideration. [Applause.] I have been here for 10 years, and I have in mind certain bills which have been introduced in every Congress, one or two of which have been referred to the Committee on Interstate and Foreign Commerce, of which I am a member. There is a widespread, well-organized, well-paid propaganda in behalf of these bills which have never been reported from that committee, which ought never to be reported from that committee, and never will be reported from that committee by my vote. [Applause.]

Yet there is sufficient organized propaganda behind them to induce 100 Members of this House to sign a petition to discharge the committee from further consideration and bring the bills onto the floor of this House, with a debate of 10 minutes on each side, and stampede the House into their enactment.

Mr. BARKLEY. Mr. Speaker, the gentleman from Mississippi [Mr. QUIN] has referred to the Esch-Cummins law. Members who were here when that bill was enacted will recall that I not only voted against the bill, but I made the fight which was made on the floor of this House against its adoption, and I have never yet apologized for voting against it and for fighting that bill, and I have no apology to make now. I think now I was right just as I thought I was right at that time. The Esch-Cummins law ought to be amended. There ought to be railroad legislation enacted by this Congress, but is there a Member on either side who knows to a certainty what that legislation ought to be? There have been perhaps 25 or 30 popgun railroad bills introduced, and each one represents what the individual behind the particular measure thinks ought to be done, but in order to pass wise railroad legislation or any other legislation on a subject of such magnitude as that the committee to which that legislation is referred must consider it. It must consider it from every standpoint, not only from the standpoint of the effect it may have upon the properties involved but from the standpoint of the effect it may have upon the structure of railroad rates as regards the whole country. [Applause.] Yet under this proposition you can get 100 Members to sign a petition to discharge the Committee on Interstate and Foreign Commerce from any one or perhaps a dozen of these popgun bills, and pass the bill on a debate of 10 minutes, when the Members of the House know nothing whatever about the effect that it may have upon the country.

Mr. BARKLEY. Oh, we might as well not assume any halo or a seraphic attitude here, simply because we are Members of the House. It is true that some may come here with a halo, but we lose it soon after we get here, and very few of us acquire one after we arrive. [Laughter and applause.] The gentleman knows how easy it is to get Members to sign petitions, and that is no reflection upon the membership of the House.

Mr. BARKLEY. Oh, let us take a practical case. Suppose some Member of the House is interested in some particular pet measure of his own. He approaches another Member to induce him to sign a petition. It is easier to sign a petition and keep on good terms with the man who makes the request than it is to refuse and run the risk of offending him.

Mr. BARKLEY. Certainly, gentlemen, it strikes me that we ought not to be stampeded here in behalf of a proposition that will open Pandora's box of trouble, no matter what party is in power.

Mr. BARKLEY. Oh, nobody has said anything about dishonesty. I am talking about human nature as it is. I am in favor of some method by which committees that deliberately stifle meritorious legislation can be discharged, and I am not here arguing against any proposition to discharge a committee; but I have been here for 10 years, and I am not able to say that the United States of America is any worse off by reason of the fact that any committee has failed to report any particular measure to the House of Representatives. [Applause.]

One of the functions of a committee is to kill vicious legislation as well as to bring out meritorious measures. [Applause.] That is why I deny the fact that any Member or every Member has an inherent right to have every fool bill he drops into the box reported on by a committee and brought here for consideration.

Mr. BARKLEY. That is not a legitimate conclusion from the argument that I have made. It is an illegitimate conclusion. If you say that every man who is a Member of the House who introduces a bill has an inherent right to have that bill brought up for consideration, then you ought to follow the legitimate conclusion of that and abolish all committees and make a calendar, according to the date of introduction of every bill, and let every man's bill be brought up and voted upon according to its priority of date. The business of committees is to investigate and sift and hold hearings and consider every angle of legislation and pass judgment through a majority of that committee upon meritorious propositions that may be before it, but if you make it possible for 100 Members by signing a petition to discharge a committee and bring up a measure here and pass it on a 10-minute debate, you are opening the doors to a world of half-baked laws. Of course, I agree that it takes a majority of the House to discharge the committee, but a majority of the House upon a proposition which has not been before it and which individual Members have had no opportunity to investigate can not reach a deliberate and mature judgment in 10 or 20 minutes' debate. [Applause.]

[Applause.]

Mr. WINSLOW. The bill that we will be asked to consider on Monday in one way or another seeks to abolish the present Labor Board and to establish in its place other organizations expensive and under very new and intricate provisions. I assume Members of the House would like to have some statement, if possible, in respect of the difficulties attending the work involved in this labor legislative undertaking. When the Esch-Cummins bill was under consideration November 12, 1919, in the course of remarks that I made as representing the committee, I went on record with respect of one particular view, and I ask the Clerk to read the statement in my time.

The SPEAKER. Without objection, the Clerk will read.

There was no objection.

The Clerk read as follows:

[Extract from CONGRESSIONAL RECORD of November 12, 1919, from speech by Mr. WINSLOW.]

Now, the other subject that I want to talk about is the labor question. Intricate and troublesome as the financial proposition has been to everybody, both on the subcommittee and on the full committee, I am sure it has not tried the souls of the members as has this labor proposition. That was the subject entering into the discussion of every phase of the construction of this bill. We were never without it. Its shadow was over us from the beginning to the end. We referred to it from time to time, and finally got down to the point where we had to consider it specifically, and for four days and a half we worked on that labor problem, and I think every member was dreaming of it every night. We had all sorts of suggestions, all the wild-eyed schemes you could think of, every sort of ism and squism that you could imagine. [Laughter.]

Mr. WINSLOW. My view of the situation as affecting the practical necessities in connection with this bill now before us is quite the same as reflected in that quotation. I want to give you a little idea of the highly developed transportation act of 1920 for the purpose of showing the need of consideration. On June 2, 1919, the original Esch-Cummins bill was introduced, and for weeks and months, even two or three months, it was being worked on by our committee, and it was not shot in on us with a demand that we attend to it in half a day.

HISTORY OF DEVELOPMENT OF TRANSPORTATION ACT, 1920
(Sixty-sixth Congress)

June 2, 1919: Original Esch Bill introduced (H. R. 4378).

July 15, 1919, to September 27, 1919: Hearings (mostly two sessions daily) before House committee. This period covers 72 days on which witnesses gave testimony. Thereafter a sub-

committee studied this bill for about four weeks and reported back duly to the full committee, which in turn held a number of sessions on the bill, which was amended and reintroduced by Mr. Esch.

November 8, 1919: Reintroduced by Mr. Esch as H. R. 10453.
November 8, 1919: Ordered favorably reported as finally passed by the committee.

November 10, 1919: Report No. 450, by Mr. Esch.

November 11, 1919: Taken up under a rule, and discussion continued over the 11th, 12th, 13th, 14th, 15th, and 17th, including a night session on the 11th.

November 17, 1919: Passed House.

December 20, 1919: S. 3288 substituted and passed Senate.

December 20, 1919: Sent to conference. In conference daily, including holidays, to February 18.

February 18, 1920: Conference Report 650, by Mr. Esch.

February 21, 1920: Conference report passed House.

February 23, 1920: Passed Senate.

February 28, 1920: Approved, Public, No. 152.

Please note that the hearings before the Interstate and Foreign Commerce Committee furnished 3,600 pages of printed testimony. The amount of this testimony bearing on the labor features of the bill was upward of 1,200 pages.

The sessions of the House, devoted to the consideration of this bill, were eight. The CONGRESSIONAL RECORD of this period discloses the fact that about one-third of all the discussion on the bill was devoted to provisions affecting labor interests.

Now we are asked with 20 minutes' debate next Monday to make up our minds whether we will take it up or otherwise. If decided so to do we are expected thereafter to proceed according to the rule and debate the bill and pass it. We all know that that rule would never have been brought in here in good faith—I do not say it was brought in in bad faith, mind you—unless somebody connected with the development of that petition and so on had it in his mind that time could be saved and that the bill could be rushed on through the House. That somebody knew as we all know that testimony was of great importance, that hearings could not be given with expressions and views which we ought to have from people interested in such a vast subject, and that somebody knew that by force only could that bill be passed, and that is by the force of might, with explanation not to be made and information not to be desired. Now the query is whether or not we want to take up a bill of such moment as this under these circumstances. Mind you, I am not discussing the merits of the bill. Do we want to jump in here and say we will pass this bill in one or two days, or whatever the time may be, and that without any definite testimony on the subject?

It will uproot the time-honored principles of this House. If this were a matter of bringing in a petition on the side for putting up a monument to somebody somewhere, I would not then think much of it; but here is a bill more intricate than any bill that has ever been before the Committee on Interstate and Foreign Commerce. There are pitfalls in it and opportunities for doing things never before presented. There are opportunities to do things which even the framers of the bill never anticipated and never foresaw.

At any rate, on February 28, 1924, the gentleman from Kentucky [Mr. BARKLEY] introduced the bill H. R. 7358. On the same day the bill was referred to the Committee on Interstate and Foreign Commerce. That was next to the last day of the month, the 28th. On March 1, 1924, as soon as the mechanical operations could be complied with and executed, our committee, in accordance with custom, started inquiries, with requests for reports from departments in regard to the bill H. R. 7358, just as quickly as could have been done.

I must hurry on, and shall have time to touch only the high spots. On the 8th of March our committee began to consider procedure as to the future program of the committee with respect of the consideration of bills. We had a little discussion on the 8th of March and a little more on the 11th of March. Then we came to certain conclusions as to what we would do. On the 14th of March the committee voted to further consider and finish all bills on which hearings had been held and which might be ready for committee action. This work continued to and included March 25. We went on until the 26th of March attending meanwhile to various bills. Then the plan of the committee procedure was discussed and fixed in respect of certain defined bills, and arrangements were made for considering all transportation bills and other bills immediately following the conclusion of bills specified for immediate action.

The details of that meeting have all been explained by me to the House and can be found in the CONGRESSIONAL RECORD. You will see by reference to them that the committee was going

along in its orderly way, attending to these things in transit, so to speak, and attending to matters which we could take up and give attention.

On April 15, 1924, without notice to the Interstate and Foreign Commerce Committee, the gentleman from Kentucky [Mr. BARKLEY] a member of the committee, made a speech on the bill H. R. 7358, the Barkley bill, and forthwith filed a petition for the discharge of the committee in respect of H. R. 7358.

Three days later, on April 18, it was my fortune to be afforded an opportunity to make a statement in reference to the procedure of the committee and to set forth the facts in regard to the action of the committee with direct and indirect reference to the bill H. R. 7358, and to read records of the committee in explanation.

On the 21st of April a petition for the discharge of the committee, with sufficient number of signatures, was filed with the Clerk of the House of Representatives. And so we are brought up to date.

There have been many rumors and statements flying about, as usual when anything is under contention here, as to what the chairman of the committee has said, or what some member of the committee said, or what the committee did do, or did not do, or would do; but it is all common everyday bunk.

It is a sewing-circle representation, as it were, that we have around here, with some few malicious ones to pass on those rumors which they find take root and develop, but so far as I have uttered on previous occasions and now, I am giving you facts and only facts. Do not mind what the other fellow tells you. If you think of something you want to know about and you want to determine its accuracy, come to the captain's office and get the record. We want you to work on the facts. [Laughter.]

Now note, gentlemen: The Interstate Commerce Committee has never discussed the question of not taking up the Barkley bill, H. R. 7358, nor was the matter ever brought before the committee for such determination, all reports to the contrary notwithstanding, and the only conclusion ever reached in respect of this bill was in regard to taking it up at any definite date. It was never set aside except for the temporary convenience of the committee as affecting its orderly procedure. The only measures connected with transportation matters which were selected for definite action, apart from the great bulk of them, were the Cooper bill (H. R. 5836) and the Hoch resolution (H. J. Res. 141). Upon these the committee held hearings and gave consideration as they themselves arranged.

The Cooper bill was indorsed by large railroads and short-line railroads and by representatives of the four great railroad brotherhoods. There was no objection offered to this bill, and the committee voted to report it out favorably.

Hearings have been held on the Hoch resolution (H. J. Res. 141), but as yet the committee has not reached a vote on the bill, although hearings and executive sessions appear to have come to an end. The Hoch resolution is a measure providing for a recreated or reconstructed rate structure, and the immediate cause for urging it was the insistency of agricultural interests, which felt and represented that there were elements in the present method of establishing rates which reacted to their disadvantage, and they wanted the rates to be remade; in deference to those interests the committee gave consideration to that measure. If you want to take the evidently popular course in the Congress of the United States, you might think that we were playing politics, but we were not. We were endeavoring to meet the call of the employees of the railroads, who wanted more locomotive inspectors, and so forth, in the interest of human life and limb, as under the Cooper bill, on the one hand, and to meet the cry for a new rate structure in the interest of the agricultural interests of the country on the other hand. It was not a stand-off or anything of the kind. These were two measures that appeared to provoke little contention, and we felt we could well pass them and get them out of the way and in operation in the interest of the two elements which I have mentioned.

The committee, at the time it determined on its procedure, on March 26, postponed the consideration of all remaining transportation matters filed to the number of 78. There were, however, many duplicates in number.

It was, at the same time, determined that after the bills scheduled for consideration had been disposed of all transportation bills would be forthwith considered with a view to selection, action, and so forth, and likewise it was arranged to go over the schedule of all other bills before the committee for the purpose of fixing a tentative or final plan of procedure.

I have attempted to explain to you what the committee's attitude has been toward taking up the Barkley bill or any other railroad bill save the Hoch matter. I have undertaken to tell you what took place in connection with the labor features

involved in the transportation act, 1920, as indicating the need of time, of testimony, and of consideration.

I could go further if the time were sufficient to permit and show you that there is need of House hearings and that there is need of time on the ground that we have no competent report upon which we can fully depend. The subcommittee of the general committee of the Senate, which had the Howell-Barkley bill in charge, held five days' hearings, and those hearings were unexpectedly terminated. In the course of those hearings representations were made by witnesses which, in the light of developments since then, are shown to be incorrect. No chance for contention can be made on the floor of this House; no chance for rebuttal can be offered if we discuss this thing without testimony, and there will be no opportunity to correct any misstatements which may have been made there, but we will be obliged, if we are studious enough—and I hope we will be—to read the Senate proceedings. We will be obliged to take what is on that flat printed page with no opportunity to learn anything about the representations which were incorrect, and with no opportunity to have the thoroughgoing kind of an investigation which your committee of this House is in the habit of giving.

Mr. SCHAFER. Will the gentleman yield?

Mr. WINSLOW. How much time have I?

The SPEAKER. The gentleman has 11 minutes more.

Mr. WINSLOW. Then I yield.

Mr. SCHAFER. If there are statements in the hearings before the Senate which are incorrect can not the gentleman extend his remarks to correct the statements which he claims are incorrect for the benefit of the House?

Mr. WINSLOW. I might pick out one or two, but that would be fruitless. If we had hearings or if we could get up here on the floor with unlimited time to answer any misstatements that might appear in those hearings that could be done and I would be mighty glad to do it, but it is manifestly impossible to do it now, and I do not think it would serve any good purpose to extend them in the form of suggestions.

Mr. WEFALD. Will the gentleman yield?

Mr. WINSLOW. Just this once and this is the last time.

Mr. WEFALD. I am one of those who want to have light upon this subject. I would like to know how much time the committee would require for the proper consideration of this bill.

Mr. WINSLOW. The gentleman is asking a perfectly fair question in good faith. I realize that. We have before our committee now bills relating to truth in fabrics and merchandizing, and about once a day some member of the committee asks the chairman how much longer we are going to take on those questions, and the chairman says, in effect, but not using the impolite word I shall now use, "Chestnut," and chestnut means this: I have such questions asked of me every day, and when I was young at the job I undertook to say how long it would take, but as I get older and find myself surrounded by 17 lawyers out of 21 members, I say to them, "God only knows; it depends on when you fellows get through asking questions." [Laughter and applause.]

Mr. WEFALD. I ask this question for the reason that we were told how long it took the committee to consider the Esch-Cummins bill, and I was thinking that since that did not turn out to be a good law possibly this would take a much longer time.

Mr. WINSLOW. I think the gentleman's thought is probably right. It may have been that if we had taken a year to consider that bill we would have gotten a better one, but still I believe it would have been full of holes in spite of the best we could do. If we should turn loose the proponents and opponents on this bill in hearings, I think the committee, if it did its duty strictly, might be until next September on hearings.

Mr. WEFALD. I am glad to get the mental attitude of the chairman of the committee.

Mr. WINSLOW. I always want to tell you what I think if I think I know.

We now come to the last ditch, not of defense, but in the way of overcoming the lack of wisdom shown in picking this bill up and carrying it through as is proposed. I have no ill will against the men who signed the petition. We have not had the other fellow's point of view. We do not know what the labor men themselves expect. They say they want the Barkley bill passed, but that is no argument in itself to influence a committee.

About every letter we have for or against it is based on the statement, "We want it and we want you to put it through," or "We do not want it and we do not want you to put it through." Under such circumstances, how can you expect an intelligent man to arrive at any conclusion merely from hearing

fellows say what they want or what they do not want, if they do not tell him why? It is the why we are after. [Applause.]

Now, if there is any man here who can reconcile his intelligence, can reconcile the dictates of his conscience, can reconcile himself to the provisions of the oath he has taken, and can agree to be a part and parcel of an attempt to rush through a bill like this, I say to him, "May God have mercy on your soul." I do not believe there is a man as an individual who is willing to do it. I do not believe there is a Member of this House who, in the days of his sanity, would ever say that he could take a bill like the Barkley bill and read it and understand it in one, two, or three days. I do not believe there is a man here who would ever stake his life or his reputation outside of this Congress—outside of the bunch which may go with him—on voting on this bill and determining the results of it in a single day or two days or three days. If you are willing to give the bill only House consideration, as is proposed, do so if you will, and so let the country know that a group of people representing organizations of any kind are in a position to come to us and say, in effect, "You do what we want when we want it." I was told when the rule providing for a consideration such as we will have next Monday was up for consideration and adoption that our committee would be the first one that would feel the strain, because there was a frame up to take from us a certain bill that would one day come before us.

I did not believe it then. I hate to believe it now; but when I hark back to the utterance of a member of our committee who followed me on the floor a few days ago and said that this situation was well known and that the brotherhoods, or those who are back of the Barkley bill, had looked over the personnel of our committee and taken their number—this is the substance and not an accurate quotation—had expected to have it brought up on the floor of the House. If that does not substantiate the rumor which came to me that there was a frame up going on I do not know what would.

We have had it said by others that the brotherhoods back of this were bound to put it through and put it through now. I have been told so by their friends. If such is a fact, I think it is time in this Republic of ours for the legislative branch to have a straight up-and-down showdown [applause], not on the merits of brotherhoods; I have no fight with them at all; not on the principle of unionism, there is much good in it, and more could be had; not in defense of capital or any other agency, but for the purpose of deciding who is who in running the legislative business of "Uncle Sam." Have we come to a point in the life of the Congress of the United States when any organized body or bodies outside can come to us and by the force of its might, whatever it is, say, "We do not care about your rules; we do not care about your precedents; we do not care about the history of orderly procedure; we can get bills out of your committee any old time. We do not like the members on the committee on so-and-so. We can bring our bills up directly on the floor of the House, because we can run the Congress and we can make the Members vote our way."

Whether the bill involved is this bill or any other bill, for my part I would resent such outside influence or use of power. I would resent it if every association of mine in the world were tied up in such an undertaking. We want to make this Congress good for something. We are being attacked and bullyragged all over this land for being a bunch of no-goods, and if anything on earth will prove it, it will be the adoption of the proposed plan of procedure for next Monday. [Prolonger applause.]

The SPEAKER. The gentleman from Missouri [Mr. HAWES] is recognized for 30 minutes. [Applause.]

Mr. HAWES. Mr. Speaker and gentlemen of the House, I have not, in private or in public, expressed an opinion upon the merits of the Barkley bill.

It is my intention not even to form a fixed opinion upon this bill prior to a hearing at which both sides will be heard.

I believe in the principle of mediation, conciliation, and arbitration.

But I withhold an opinion upon the matter of the official machinery by which they are to be operated.

Very painful experience has taught me the danger of committing myself in advance upon a controversial subject.

Frequently, prior to hearings and examinations, I have had strong feelings of opposition to or commendation for a measure, and hearings and testimony have changed these premature opinions.

I voted in the committee to take up the Barkley bill for consideration and will do so again and with entire confidence that the committee will order this to be done when it has disposed of some important bills introduced long prior to the Barkley bill.

If the committee, because of opposition to the Barkley bill, should refuse such hearings, I would join with other Members of the House in ordering a hearing and report.

It is not my contention that the petition for discharge should not be used in emergencies or in aggravated cases where a committee wrongfully refuses to hear a bill or attempts to smother its consideration.

I voted for the rule, believing it was a weapon to be used in extraordinary cases for the correction of abuses and to take from a committee a bill which it refused to consider or report.

This is not the case with this bill. The committee has not refused to consider the bill or been guilty of the charge of suppression. [Applause.]

I shall not discuss the Barkley bill. I shall not appeal to the House on questions of parliamentary law, but for a greater rule, the highest rule of all, the rule of common sense, and a second rule, the rule of fair play.

Next Monday the House for the first time will have under consideration the operation of an entirely new rule, upon which the debate will be limited to a total of 20 minutes, allowing but 10 minutes' discussion for those Members advocating and opposing the exercise of this rule.

It is proposed to withdraw from the Committee on Interstate and Foreign Commerce a bill introduced by the gentleman from Kentucky [Mr. BARKLEY] on February 28, to bring this bill before the House without hearing or consideration by any committee of the House; and thus, without investigation, without hearing, without affording either the friends or the opponents of the bill an expression of opinion, it is proposed for the first time in the legislative history of the House since its creation—in violation of all precedent, in violation of the theory of the right of petition—to take up for consideration and passage a measure which it has been stated it took 18 months to prepare and which contains 35 pages of printed matter.

The matter resolves itself into questions of fact.

I voted in the committee to take up the Barkley bill for discussion, and I voted for the rule of 150 by which in an emergency, where a committee wrongfully withheld consideration or suppresses consideration or wrongfully delayed consideration of a bill, the House might order that committee to report, but it never occurred to me that this Congress would proceed to discuss a bill upon which there had been no hearings and upon which both sides of the question had not been heard.

Gentlemen have referred to the hearings in the Senate. The hearings in the Senate on this subject were before a subcommittee. The hearings lasted six days. The hearings were not complete and were not concluded, but if they had lasted for six months I can not recognize the principle that the Senate will do investigating for the House and make reports for the House, and that the House exercising its function should be bound by the findings of the other body. [Applause.]

The motion for the discharge of the Committee on Interstate and Foreign Commerce was made during my absence from the House on sick leave; but since my return, in conversation with Members, I have formed the impression that many would not have signed the petition had they known the facts, and that others signed the petition because the real facts of the conduct of the committee had not been properly presented to them.

Mr. LINEBERGER. Will the gentleman yield right there?

Mr. HAWES. Yes.

Mr. LINEBERGER. Can the gentleman conceive of a Member signing the petition for the purpose of bringing out the facts?

Mr. HAWES. No, sir; not when there is only 10 minutes allowed for debate.

Mr. LINEBERGER. How are the facts to be ascertained, except by some action such as has taken place here, when explanation is made of the merits of the case such as the gentleman is now making?

Mr. HAWES. A gentleman can ask for time on the floor of this House, complain about the conduct of a committee, make his statement to the House instead of in the lobbies and in the cloakrooms and in the corners.

Mr. LINEBERGER. Would the gentleman now be on his feet making the explanation he is making, and making very ably, had this petition not been signed?

Mr. HAWES. No.

Mr. LINEBERGER. That is the point I asked the gentleman about. Could he conceive of a Member signing this petition with the object of getting such explanations as he and other Members of the committee have presented to the House this morning?

Mr. HAWES. I can conceive that there may be Members of the House who signed that petition for that purpose, and if they did, each man who signed it for that purpose performed a real service to the House.

Mr. LINEBERGER. I will say to the gentleman I signed the petition and that was the particular object which I had in view—getting information, and I find I am getting it, and I think it was because of that petition that we are now getting the information.

Mr. HAWES. My appeal to this House is not in relation to the Barkley bill. It is to look before you leap and to think before you act in a matter of this kind.

The matter that concerns me is the proper investigation of facts by committees. It may be well to consider the general subject of committee investigation and the right of public hearing before we reach this particular subject; and it may interest the House to know that at the present time it has before it for consideration 9,008 bills, and on the Senate side 3,208 bills, a total of 12,216 bills introduced at this session of Congress. In addition to these bills the House has before it for consideration 892 resolutions, making a total of 13,000 measures to be considered.

There are 435 men in the House and 96 in the Senate, a total of 531 Members in Congress. This makes an average of 25 bills to each one of the Members. Some Member of Congress, some influence somewhere, must support each one of these bills and each of these resolutions. They did not drop upon the Speaker's desk by accident. Some Member thought there was some merit in each one of these bills, and yet from that vast number of 13,000 bills one alone is selected and brought on the floor of this House to be passed without hearings. It is to be promoted above every other bill and every other resolution in the House.

It has been insinuated that the reason this was done was because the committee refused to consider this bill. I deny the truth of that statement.

The Committee on Interstate and Foreign Commerce did not refuse to consider the Barkley bill, and I believe there are men in this House who signed this petition because they were told that this committee did refuse to consider it.

We know it is physically and mentally impossible for men in this House to consider all these 13,000 bills, or even a small portion of them.

So we find that in order to expedite the business of a legislative body measures are first referred to committees for consideration and report; and this custom is not purely an American institution—it is practiced throughout the world.

Not only in England but in France, in the Chamber of Deputies, committees function in a manner similar to our own. This is true in Italy, Belgium, Holland, and Switzerland.

It is the accepted method in the legislature of each of our 48 States. In all our great cities controlled by municipal assemblies the greater portion of the work of legislation is first done by standing committees.

Not only is this the custom of State legislatures but a number of States—Pennsylvania, Alabama, Texas, Missouri, Colorado, Louisiana, Wyoming, Kentucky, and other States—require the submission and consideration of a bill by a committee prior to its passage by the legislature.

It has been found to be an indispensable essential for proper and intelligent legislation.

The First Congress began with two committees—one on enrolled bills and a House Committee on Elections. It was then the custom to do work by what was called select committees, especially selected for a special purpose. This number grew until the Third Congress, when there were 350 such committees.

This system did not last long. It proved unsatisfactory, a waste of time, and provoked endless discussion as to who should be made members of these select committees.

From the Third Congress with 350 select committees they had been reduced by the years 1813–1815 to 70 committees, and 20 years later this had been again reduced by one-half.

During this period the number of standing and permanent committees in the House had been increased from 2 to 60 and in the Senate to more than 70.

Speaking of the work of committees to investigate, digest, and arrange details of complicated subjects, Calhoun, in 1812, said:

The House may more easily comprehend the whole, the reason for this being that this body is too large for either of these operations and therefore a reference is made to smaller ones.

I call the attention of my colleague from Kentucky to two quotations made by a Member of this House, Mr. LUCE, in

his learned and able work on Legislative Procedure, where he quotes two Kentuckians on this subject:

Hardin, of Kentucky, in January, 1816, greatly regretted to observe in the House "an unconquerable indisposition to alter, change, or modify anything reported by any of the standing committees." Three weeks later Taul, of Kentucky, confessed he distrusted his own judgment when it differed from that of any of the standing committees. "The members composing these committees," he said, "are selected for their capacity and particular knowledge of the business to be referred to them. These selections have been judiciously made. The standing committees have a double responsibility on them. Hence it is presumed that every measure, before it is reported to the House, undergoes a very nice scrutiny. Those committees have deservedly great weight in the investigation and decision of such questions as may have come before and been decided by them."

I call the attention of my colleague from Alabama to this statement in the same work:

Then Alabama, in 1901, stiffened its provision into: "No bill shall become a law until it shall have been referred to a standing committee of each House, acted upon by such committee in session, and returned therefrom, which fact shall affirmatively appear upon the Journal of each House." Notice that the reference is to a "standing committee." Here was official and formal discord of the special or select committee system.

It would seem that in the first place all great legislative bodies throughout the world, whether of national or local importance, employ the agencies of committees for examination, hearings, and reports; and, secondly, the appointment of special committees for the consideration of subjects has been superseded by the creation of regular standing committees with a specified jurisdiction.

To-day we find this Congress has over 60 standing committees.

Sufficient has been said to show that legislative bodies can not properly function without the assistance of committees.

HEARINGS BEFORE COMMITTEES

In this country it is the universal custom to hear both sides of a question presented to a committee, and this is the rule in England, where it has been held:

Where it is held that though the public interest should be paramount, yet public interest ought to be subserved with the least possible injury to private interest, and for this reason private interest endangered ought to be heard.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. HAWES. I yield.

Mr. CONNALLY of Texas. The gentleman said he voted in committee to take up the bill and that the committee had not refused to take it up. Did the committee take it up?

Mr. HAWES. I propose after I develop my subject to make a statement of that matter with all the details, and then I would be glad to have gentlemen ask questions.

Members who desire to take this bill from the proper committee without a hearing, before the House, leaving the impression that a hearing was refused, seem now to have some fear of a proper hearing. They want to rest their case upon a partial hearing made in the Senate by a subcommittee of the Senate. They will attempt to tell this House that hearings have been held. I deny that statement. No complete hearings on this bill have been held either in the House or in the Senate.

Mr. BURTNESS. Will the gentleman yield?

Mr. HAWES. I will.

Mr. BURTNESS. Upon these hearings which have been held in the Senate by the subcommittee, has any report ever been made by the subcommittee to the full committee?

Mr. HAWES. I understand that no report has been made by the subcommittee of the Senate to the whole committee of the Senate and the Senate committee has not reported on this subject.

Mr. BURTNESS. The subcommittee of the Senate has not held hearings sufficient for it to make a recommendation to its own committee.

Mr. HAWES. The gentleman from North Dakota is right.

Mr. KUNZ. Will the gentleman yield?

Mr. HAWES. Yes.

Mr. KUNZ. In reference to the gentleman's statement that he voted in committee to take the bill up and the statement from the gentleman from Massachusetts [Mr. WINSLOW] that he voted in opposition, I would like to know and I think the membership of the House would like to know whether that vote was taken before or after the petition was presented for the discharge of the committee from consideration of the bill.

Mr. HAWES. If the gentleman will please permit me to proceed, I propose to answer that matter in detail after further developing this subject. It seems to me this is not a matter of the Barkley bill. It is a plain question of whether a great committee of this House, composed of 21 men from 20 States in the Union, shall be practically indicted before the American people for doing something of which they are not guilty.

The primary purpose of a hearing is to secure information, and certainly it has been the custom of the committee of which I am a member to hear both sides of every question and where the matter affects a Government agency or a Government function to call before the committee officials from that branch of the Government, so that frequently three different points of view are ascertained by a committee.

Not to seek information on a bill would involve a breach of faith to the House, and the committee is justified frequently even in calling before it disinterested experts. What a committee should really seek is not so much an expression of opinion, which is usually biased by the inclination of a witness, as it is an ascertainment of the facts.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. HAWES. Mr. Speaker, I ask unanimous consent to conclude my remarks, which I shall make as brief as possible. I have been interrupted and have not really arrived at the heart of the subject because of interruptions.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the gentleman may be permitted to proceed for 20 minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHALLENBERGER. Mr. Speaker, if the gentleman will permit, I hope he will explain in those 20 minutes how he could vote for the consideration of the bill and then say that the committee had not refused to consider the bill.

Mr. HAWES. I expect to go into that in detail. The State of Wisconsin considers the hearings by committees of grave importance. The State of Alabama, from which my friend HUDDLESTON comes, does the same thing, as does the State of Kentucky, from which the author of this bill comes.

So important does the State of Wisconsin consider the matter of committee hearings that it has provided by law that each committee is to keep a record in which is to be entered—

First. The time and place of each hearing and each meeting.

Second. The attendance of committee members.

Third. The name of each person appearing before the committee, and of the person, firm, or corporation in whose behalf such appearance is made.

Fourth. The vote of each member on all motions, bills, resolutions, and amendments.

Mr. SCHAFER. Mr. Speaker, will the gentleman yield?

Mr. HAWES. Yes.

Mr. SCHAFER. Does not the State of Wisconsin also provide that the legislature can take up for consideration and passage bills and resolutions without committee hearings?

Mr. HAWES. I do not know of any such law. It is not the usual custom in States unless the committee has abused its privilege.

Mr. SCHAFER. Well, it does.

Mr. HAWES. The element of time is considered by legislatures, and even in the short period of the life of a legislature—from 60 to 90 days—a committee is allowed a reasonable time for the consideration of a bill, and due consideration is given to the business of that committee and to what its docket contains.

Every man in this House knows that some of the work of the House is done in committees and that the big questions require long consideration. The language of bills has to be changed, various conflicting interests considered, conciliation effected, all of which requires reasonable time; and most of the men in this House, I believe, will agree that it is impossible for the House to do this as successfully and as minutely as it can be done by committees.

When a committee has finished its hearings, they are printed for the benefit of all the Members of the House. This is followed by a majority and minority report, to be reviewed by each Member of the House. Time is given each Member to read these hearings and to study the reports.

If the House takes up the Barkley bill, it will be denied this opportunity for study and denied the benefit of hearings, all of which would help in debates and discussions upon the floor of the House.

None of our legislative machinery is perfect, and perfection has not been attained in the matter of committee hearings; but

it is the usually accepted method of procedure, and no better plan has yet been devised.

For Congress to attempt to abandon this method would make perpetual sessions necessary and so clog the legislative machinery that little or nothing would be accomplished. Instead of speeding up the work of Congress it would delay and retard it.

In the case of the Barkley bill the House will not receive a report from the committee, nor has the House demanded a report from the committee. If the House had demanded a report, it would present another subject. That is not the subject we have before us. It is a matter of taking up a bill that has not been considered and which is to be given priority over 9,000 different bills in this House. The whole House has the benefit of a committee hearing. Copies of the hearings are printed for the benefit of the Members of the House. A majority report is filed, as is also a minority report, so that before a measure comes to the House for consideration on the floor every one of its Members has an opportunity to know everything the committee knew or that was stated before the committee. It is now proposed to bring before the House a bill introduced as late as February 28 without such hearing and without a report.

Just a few words about the work of the Interstate and Foreign Commerce Committee.

I believe the records will show that it meets more frequently than any other committee in the House. Questions come before it, dealing as they do with regulation and proposed extended regulation of all forms of business under the interstate commerce clause of the Constitution, requiring nice judgment in questions of law.

They are not matters to be gone over hastily, as they involve enormous sums in invested capital and diversified functions of government.

An honest criticism of the work of this committee would be not that it does not do enough work but that it has too much work to do.

This committee keeps regular minutes, including records of attendance, and in addition to the amount of time consumed in hearings I am quite satisfied that a great many members devote considerable time in the evenings and on holidays to investigation of the many legal points that arise.

I have taken the liberty of calling the attention of the House to these matters because I believe they are facts worthy of your very thoughtful consideration, and I am under the impression that Members of the House have been given some erroneous impressions regarding the conduct of this committee and the manner and volume of the work it performs.

Mr. Speaker Clark said the Interstate and Foreign Commerce Committee is one of the great committees. It has the broadest jurisdiction of any committee in the House. It deals with more diversified subjects than any other committee; this will not be disputed. Its history runs back to 1795. Its jurisdiction is as broad as the constitutional provision which reads:

Congress shall have power to regulate commerce with foreign nations and among the several States and with the Indian tribes.

There are before our committee to-day a large number of bills. The committee now has before it 174 bills, according to a statement given to me by the clerk of the committee. Those bills refer to agriculture, aeronautics, bridges, bridge surveys, blue sky laws, coal, Coast Guard, commerce, contracts, Federal Trade Commission, Public Health Service, firearms, films, all of the Lighthouse Service, hospitals, health, maternity, canal bills, all navigable streams, the Panama Canal, quarantine stations, railroads, the interstate commerce act, the transportation act, topographical survey, trading with the enemy act, and a variety of other subjects.

It had before it for consideration 276 bills before the Barkley bill was introduced into the House. I assume that back of each one of these bills there were men who thought they were of great importance, or they would not have introduced them. Back of each of these bills was something of merit. Some sentiment caused their introduction, and just because the committee delayed its program on one special bill which followed the introduction of 274 bills, demand is made that the House shall push aside and postpone hearing on all other bills and put this bill upon passage without hearing by any committee.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. HAWES. Yes.

Mr. LONGWORTH. The gentleman a moment ago yielded to the fact that upon the motion to discharge the committee from consideration of the bill there is allowed but 20 minutes

for debate. Will the gentleman add that on the motion to follow that, to consider the bill at once, no debate whatever is allowed?

Mr. HAWES. That is my understanding.

Mr. CRISP. But should the House decide to consider it, then it would be considered under the general rules of the House, subject to unlimited debate and amendment.

Mr. LONGWORTH. Precisely; but it would be immediately in order to move to go into the Committee of the Whole House on the state of the Union for the consideration of the bill.

Mr. HAWES. Mr. Speaker, the gentleman from Texas [Mr. CONNALLY] propounded a pertinent inquiry, and the gentleman from Illinois [Mr. KUNZ] made the same inquiry. I now direct attention to facts which, I submit, will not be disputed by members of the committee. With 276 bills before that committee, informal discussion was held as to which bills should be first considered. That informal discussion decided that bills affecting the navigation of rivers, small bills, and bills that had been held over from the last session of Congress should be given first consideration as being greater in number and being more quickly disposed of. The committee gave some preference to a bill relating to transportation in the Mississippi Valley, a measure that is of vital interest to all of the Mississippi Valley States—not to a small group but of interest to a group that feeds America, mighty sovereign States, and finally there came the 26th day of March, a period less than one month after the introduction of the Barkley bill.

The committee then decided what bill should at that time be given immediate priority, and that is the only question they did decide. Amongst those bills to which they gave preference over the Barkley bill was a bill of great interest to union labor, introduced by the gentleman from Ohio [Mr. COOPER], involving the expenditure of \$200,000 for additional inspectors. Another bill was given the next place in order, a bill proposed by the gentleman from Kansas [Mr. HOCH] that goes to the vitals of the transportation question, a bill demanded by the great agricultural interests of our country, and on a vote the committee gave the Cooper bill prior consideration, and on the next vote of the committee the Hoch bill, relating to the survey of railroad rates, was given second consideration, and then it was that the gentleman from Kentucky [Mr. BARKLEY] moved that the Barkley bill be placed next on this program for immediate consideration, and I voted for its consideration, but the committee in its judgment decided that as it had bills from that committee since last session it could be temporarily laid aside. Then I made the motion in answer to requests made upon me by representatives of agricultural interests that bills relating to truth in fabric and misbranding be given consideration, and the committee then made that bill the third in order, but at no time or upon no occasion did the committee ever refuse to take up the Barkley bill, and it is my impression that if it is called up the committee will vote for its consideration. What the committee did do was to hold the Barkley bill for later consideration.

Mr. LONGWORTH. Will the gentleman yield?

Mr. HAWES. I will.

Mr. LONGWORTH. It seems to me I recall in the last Congress the committee was quite severely criticized for not having given consideration to the truth in fabric bill.

Mr. HAWES. Mr. LONGWORTH, there are 12 bills introduced by 12 Members relating to said subjects, introduced two and three years ago, two years before anyone ever heard of the Barkley bill.

Mr. BURTNESS. Will the gentleman yield further?

Mr. HAWES. I will.

Mr. BURTNESS. The truth in fabric bill which is now being considered by the committee, as well as most of the misbranding bills which are being considered, were introduced on the very first day of this session of Congress.

Mr. HAWES. Not only on the first day of this Congress, but they were introduced in the last session of Congress.

Mr. BURTNESS. Is it not also a fact that the Committee on Interstate and Foreign Commerce has met for five or six days of every single week since it was possible to organize the committee, in the first part of January?

Mr. HAWES. This committee in the last session of Congress handled 395 bills. It had hearings on 27 different subjects. It occupied 130 days in those hearings. It had 18 days in executive session on bills, and there is no other committee of this House that has that record. It has held hearings this year on 12 different subjects, occupying 46 days. It had 24 executive meetings, and it has three or four subcommittees at work now on different subjects. We have a vast number of bills that relate to the railroad problem, the greatest problem before this country; but those railroad bills, my friends, are

connected—they are related subjects—and I, for one, am ready to commence their consideration to-morrow; but when their consideration is undertaken, this House must understand that when that order is given all other legislation before that committee ceases, because it would be a physical and mental impossibility for the committee to consider anything else but railroad bills. So the committee has been trying to put out some of these other bills.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. HAWES. I will.

Mr. SHALLENBERGER. I understood from the gentleman's statement, and I agree with it, that we came to a position in the committee where a motion was made by the gentleman from Kentucky to take up the consideration of his bill after the consideration of these other bills had been disposed of, and the gentleman from Missouri made a motion as a substitute to take up before the Barkley bill these so-called misbranding bills, and that is what we are operating under now; is that right?

Mr. HAWES. The gentleman is not quite right. A motion was made after the Hoch bill that the Barkley bill be taken up, and I voted for that motion. Then the committee having voted down that motion I moved that the truth in fabric bill be given first consideration.

Mr. SHALLENBERGER. So the committee did vote down the consideration of the Barkley bill?

Mr. HAWES. Not permanently, but only as to immediate consideration.

Mr. SHALLENBERGER. And that raises a question of whether or not we have taken up a bill of sufficient importance to warrant the attention of that great committee. We have 12 bills dealing with misbranding possibly before the committee. How many hearings have we had on those bills?

Mr. HAWES. I have been away.

Mr. SHALLENBERGER. How many of those hearings has the gentleman attended upon the bill?

Mr. HAWES. That I could not tell the gentleman.

Mr. SHALLENBERGER. How many members of the committee attend those hearings on a bill of such importance as to put aside the consideration of this bill now? I will state as a matter of fact that we can not get a quorum on that bill, and the time of the committee in my judgment if we adjourn in June will be easily taken up in the consideration of those 12 bills for which the consideration of this bill was set aside.

The SPEAKER. The time of the gentleman has again expired.

Mr. HAWES. Mr. Speaker, I must have a little more time. If I refuse to answer questions, it creates an appearance of unfairness.

Mr. SANDERS of Indiana. Mr. Speaker, I ask unanimous consent that the gentleman may have, how much time?

Mr. HAWES. Ten minutes.

Mr. SANDERS of Indiana. May have 10 minutes.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the gentleman from Missouri may have 10 additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HAWES. The new rule was intended to take a bill from a negligent committee, or a bill that was suppressed by a committee, or a bill that was unjustly or improperly held without hearings before a committee.

Each Member of this House should know whether there are any facts back of the present movement in relation to this bill justifying such course.

Two hundred and seventy-six bills were referred to this committee prior to the introduction of the Barkley bill, which was not done until the 28th day of February.

On the 26th of March, just a month later, Mr. BARKLEY moved to take up and give precedence to his bill over all the 276 bills then before the committee and which had been introduced prior to his bill. That is to say, bills representing the wishes of or prepared by 276 Members of this House were to be set aside for this one bill.

When his motion was made to take up this bill, I was one of those who voted for the consideration.

I am informed that Members of this House have been told that the committee voted not to consider the Barkley bill.

I desire to protest against such a statement because it is untrue and not in keeping with the facts.

The committee was trying to arrange a tentative program of procedure.

Mr. COOPER of Ohio had a bill of special interest to labor, involving the expenditure of \$200,000 by increasing the number of inspectors for locomotives. The committee voted to

give this bill consideration after it had disposed of some unfinished work before it.

It then took up the Hoch bill, an amendment to the interstate commerce law, which provides for a survey of the entire rate structure, with the view of making such adjustments as are necessary, and placed that bill upon its program for second consideration.

Mr. BARKLEY moved that the Barkley bill should follow the Hoch bill, but the committee decided to delay consideration of this bill until such time as it could be taken up in connection with other bills relating to the railroad question, of which it seemed to be part, involving some 78 bills of more or less connected subjects.

In response to repeated demands from farm bureaus and agricultural interests, the committee then ordered for discussion and hearing 12 bills, popularly known as the "truth in fabric" and "misbranding" bills, and the hearings on these bills are now in progress.

The bills placed on this program were all introduced either in the last session of Congress or the early part of this session. They included the Cooper labor bill, the Hoch rate bill, and 12 bills relating to "truth in fabric" and "misbranding."

It will be seen, therefore, that the bills which were given priority over the Barkley bill had been in the committee for some months prior to the introduction of his bill, and some of them at least a year.

Now, it is proposed that these 276 bills shall be pushed back and that the bills which have been in the committee for a year and longer should be placed on a retired list in favor of a new bill which found its way into the House for the first time on February 28.

The committee did not vote not to consider the Barkley bill, and I am thoroughly well satisfied they want to have hearings upon this bill. Certainly I do, as expressed by my vote.

It has been stated, by way of explanation or, more properly, by way of excuse, that hearings have been held upon this bill before the Senate. As a matter of fact, a partial hearing was held before a subcommittee of the Senate, but the hearing was not conclusive or complete; yet gentlemen are advocating the very novel doctrine that the House should abandon its prerogatives and accept partial hearings held before a Senate subcommittee as conclusive upon the House.

The logic of this argument would be that all the 62 committees in the House should abandon their hearings and submit that function of the House to the Senate.

It is a new and novel doctrine. If carried to its logical extreme, it would be a humiliating abasement to which I do not for a moment anticipate the intelligent, self-respecting Members of this House will agree.

I assume there are many Members whose bills have not been considered or reported by committees who have just cause for complaint.

I feel aggrieved myself. I have some bills, introduced early in the session, long prior to the introduction of the Barkley bill, which are now before my committee. I consider them to be measures of importance which I believe will meet with the approval of this House.

Suppose each Member of the House who was disappointed or chagrined should proceed to circulate a petition for 150 signatures asking for the discharge of committees from the further consideration of bills?

How many committees would be discharged, how many bills of conflicting interests would be brought on the floor of the House, creating confusion, blocking legislation, and preventing the orderly discussion of bills properly reported from committees?

The question each man should decide is not the merits of the Barkley bill, but whether the facts justify this House in taking from one of its great committees—from one of its hard-working committees—one single bill which was only introduced on February 28, and give it precedence over 9,000 other bills now before this House.

A partial consideration and hearing on the Barkley bill before a subcommittee of the Senate, I am informed, occupied about one week.

In my judgment, it would not be possible to give a proper hearing on this bill before any self-respecting, intelligent committee of the House under two weeks, and I do not think the House, in an attempt to discuss the bill in the Committee of the Whole House, could properly do so if it occupied three weeks, and then the House would not have the benefit of the testimony of witnesses and investigation, because there is no machinery by which these witnesses can be brought before the House for the purpose of testifying.

I have tried to make this question clear. On Monday next you do not vote for or against the Barkley bill; you vote for or

against the right of petition, the right of hearing. One of the old sacred rights in American and Anglo-Saxon struggles for liberty is the right of petition. The modern exercise of the right of petition means the right of hearing before legislative committees. I heard the gentleman from Alabama [Mr. HUBLESTON], a member of my committee, complain of the practice of holding hearings before subcommittees of his own committee, and I have sustained his position on a number of occasions because I thought he was right. But now I assume that the gentleman from Alabama, who opposed hearings before subcommittees, may state that he is satisfied with hearings taken before a subcommittee of the Senate.

How many times have Members had a fixed conviction on a subject and then changed that opinion upon investigation of the facts? Many are guilty in political fights of committing ourselves to the advocacy of a bill which they have never read. The Barkley bill is a big bill. It involves the great modern questions of mediation, conciliation, and arbitration in the settlement of labor disputes. God speed the time when this House may have an opportunity to vote for a righteous measure! There is not a Member who would not almost give his good right hand to secure the passage of a fair and proper measure of such great importance. I am not one of those who are opposing that kind of a bill, but if the gentleman from Kentucky [Mr. BARKLEY] can take his bill, with 276 committee bills before it, and give it precedence over 9,000 other bills in this House, who in the future will decide what bills are to be first heard, and what bills are to be given first preference? Will the Members of this House say that the Barkley bill should be heard and the Cooper bill should not be heard? Will the Members of this House say that a great measure relating to railroad rates should be set aside for the Barkley bill? Will Members of this House say that bills waiting for a year, representing the authorship of 12 men in this House, should be set aside in order that one bill, introduced late in the session, should be given preference? If that is done with this bill, it will be done with other bills. The right of petition, the right to be heard, will be taken away.

Every man standing for and defending the rights of union labor must realize that the first thing union labor requires is a fair hearing.

It was their demand to be heard that overthrew the power of kings.

Would union labor to-day say that it favored the passage of a bill upon which the other side could not be heard?

May not the time come when union labor is on trial and a gag rule is brought in, so that their rights and their grievances could not be heard before a committee of this House?

I do not believe that understanding union labor demands that the House shall pass upon a bill upon which no testimony has been taken.

I would again vote to take up the Barkley bill, and I believe the committee will vote to take up the Barkley bill; but a committee representing 20 sovereign States in the Union should certainly be allowed the right of selection of what immediate subject shall be discussed by that committee, and that is all there is in this question. It is not the Barkley bill; it is the denial of the right of petition; it is the denial of the right of hearings. Shall we take from the House those agencies which since the time of Washington have informed the House upon the business that is brought before it? [Applause.]

NO QUORUM—CALL OF THE HOUSE

Mr. COLLINS. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Mississippi makes the point of order that there is no quorum present. It is clear that there is no quorum present.

Mr. BANKHEAD. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Alabama moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Abernethy	Carew	Dickstein	Gallivan
Anderson	Celler	Domnick	Garber
Bacharach	Clark, Fla.	Doughton	Garrett, Tex.
Barkley	Clarke, N. Y.	Doyle	Geran
Bell	Cole, Ohio	Drane	Gifford
Berger	Connolly, Pa.	Edmonds	Goldsborough
Boylan	Cornning	Favrot	Graham, Pa.
Brand, Ohio	Cummings	Fish	Hardy
Britten	Curry	Fredericks	Harrison
Browne, N. J.	Davey	Freeman	Haugen
Burton	Deal	Funk	Howard, Okla.

Humphreys	Magee, Pa.	Reed, W. Va.	Taylor, Colo.
Jost	Michaelson	Reid, Ill.	Taylor, Tenn.
Kahn	Mooney	Robinson	Tineher
Keller	Moore, Ill.	Romjue	Treadway
Kelly	Morin	Rosenbloom	Tucker
Kendall	Morris	Schall	Tydings
Kerr	Mudd	Scott	Underhill
Kiess	Murphy	Sears, Fla.	Upshaw
Kindred	Nolan	Sears, Nebr.	Vare
Knutson	O'Brien	Snell	Vestal
Langley	O'Connell, N. Y.	Snyder	Ward, N. C.
Lindsay	O'Connor, La.	Sproul, Ill.	Ward, N. Y.
Little	O'Connor, N. Y.	Stalker	Wason
Logan	Oliver, N. Y.	Stengle	Weller
Luce	Park, Ga.	Stevenson	Welsh
Lyon	Phillips	Strong, Pa.	Wurzbach
McClintic	Porter	Sullivan	Wyant
McDuffie	Purnell	Summers, Wash.	Zihlman
McFadden	Quayle	Sweet	
McKenzie	Ransley	Swoope	
McNulty	Reece	Tague	

The SPEAKER. Three hundred and five Members have answered to their names; a quorum is present.

Mr. CHINDBLOM. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. By special order of the House, the gentleman from Alabama [Mr. HUDDLESTON] is recognized for 30 minutes. [Applause.]

RAILROAD LEGISLATION

Mr. HUDDLESTON. Mr. Speaker, it is with hesitation that I rise in the attempt to answer the remarks of the three outstanding champions in the House of the "philosophy of standing still." [Applause.] I should not do so except for the fact that the gentleman from Kentucky [Mr. BARKLEY], who introduced this bill, is unavoidably absent to-day. I felt that some advocate of the bill should make some sort of reply to the big guns of the opposition, Mr. SANDERS of Indiana, Mr. WINSLOW of Massachusetts, and Mr. HAWES of Missouri.

When I learned on yesterday that these gentlemen had obtained leave to address the House on the Howell-Barkley bill, and that Mr. BARKLEY was absent, I asked for time for myself. They had not announced upon which side they would speak, but that was unnecessary. We, who are acquainted with their habit of thought, their attitude of mind, and their point of view, would have been grossly surprised had we come here to-day and heard them make any different arguments from those which they have made, or take any different positions from those which they have taken.

The gentleman from Missouri [Mr. HAWES] is correct, so far as I know, in saying that he had not previously expressed himself on the bill; but I knew just as well as I knew the sun was going to rise to-day that at this hour and in this place I would hear the gentleman from Missouri offering some splendid reasons—I almost said excuses—for his resolve to obstruct the passage of this bill.

Oh, there are many ways of opposing measures, many ways of preventing the will of the people from being written into law, and perhaps one of the ways is just as legitimate as another. Perhaps it is just as legitimate to stab under the "fifth rib" as it is to strike in the face; perhaps it is just as legitimate to oppose bringing up a measure in the only practicable way possible as it is to say "I am against it under any and all circumstances." The people who work on the railroads—the train crews, shopmen, and others—do not feel any particular interest in whether a Member is opposed to their bill coming up or whether he is against it after it comes up. They are men of common sense and are interested in results. They will judge him by the consequences of his action.

COMMITTEE OVERBURDENED WITH LITTLE THINGS

I have almost shed tears over the pitiful plight in which the Committee on Interstate and Foreign Commerce has been portrayed. Bowed down with, oh, such an opulence of jurisdiction, multitudes of important measures pressing upon it, and no time to do anything except report bridge bills. [Applause.] Congress has now been in session for five months, and that committee, the busiest in the House, has been sitting almost daily, yet they have never completed hearings upon a single measure of prime importance.

Mr. NELSON of Wisconsin. The Cape Cod bill has come through easily in some way or other, and we are going to take that up under a special rule.

Mr. HUDDLESTON. The gentleman must remember that the chairman of the committee [Mr. WINSLOW] is especially interested in that bill.

No hearings on any measure of prime importance have been completed by that committee, yet 175 important bills are still before it. Are you not sorry for the committee? Do you

not want to do something to relieve them of their burden? They have bridges to be thinking about; they have Cape Cod to think about, the Panama Canal, the Coast Guard, the light-house system, and a thousand and one trifling and unimportant things, and they have no time to give to railroad legislation or other matters of prime importance. [Applause.] Do you not want to do something for this great committee and its amiable chairman? I beg you do something for him, relieve him of some of his burdens, take away this troublesome Howell-Barkley bill and bring it before the House.

I remember how the gentleman from Massachusetts [Mr. WINSLOW] fought for jurisdiction of the St. Lawrence ship canal bill, how he succeeded by might and main of his influence in wresting it away from another committee and bringing it to the Committee on Interstate and Foreign Commerce. Having done that noble deed, we have never mentioned that bill in the committee from that day until this. [Laughter and applause.]

Mr. WINSLOW. Will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. WINSLOW. Did the gentleman ever ask anything about the St. Lawrence ship canal bill in the discharge of his duties as a member of the committee?

Mr. HUDDLESTON. No; I was not especially interested in that measure. I realized that there were so many other matters within our jurisdiction, real matters, and needing our attention so much worse than that bill that I did not mention it. I also realized that the chairman would deal with it at his pleasure in his own good time.

Mr. BURTNESS. Will the gentleman yield?

Mr. HUDDLESTON. I do not want to yield and have my time frittered away with questioning.

Mr. BURTNESS. I was wondering whether the gentleman was present at a couple of meetings where I personally raised the question with reference to the St. Lawrence ship canal project and the state of the situation with reference thereto, and when it was plainly shown that this was not the time when that legislation was advisable, due to the fact that a treaty had not been effected with Canada.

Mr. HUDDLESTON. Let the gentleman ask a question and then stop.

Mr. BURTNESS. That is a question.

Mr. HUDDLESTON. No; the gentleman is defending himself from the implication that he neglected that matter.

Mr. BURTNESS. But the gentleman stated that the St. Lawrence project has not been mentioned in the committee.

Mr. HUDDLESTON. The gentleman is trying to defend himself from the implication that he has neglected that bill.

Mr. BURTNESS. Not at all.

Mr. HUDDLESTON. The gentleman was not a member of the committee during last Congress; he could not have brought it up in the committee for that reason. It may be barely possible that he has spoken of the matter during the present session of Congress, but if he did mention it I have no recollection of it.

Mr. BURTNESS. If the gentleman had been at the meetings of the committee, he would know better than that.

Mr. HUDDLESTON. I decline to yield further to the gentleman. I am, as he knows, one of the most regular attendants at committee sessions.

The committee is burdened with a multitude of bills. There are dozens of bills of tremendous importance to the people of this country pending before our committee. There are bills to repeal other objectionable provisions of the transportation act. There is a bill to deal with section 15a, but it has not been considered and it will not be considered. There is not a chance to get such a measure before the House except by some method such as this which is being used on the Howell-Barkley bill.

Our committee are disciples of Fabius. We follow his strategy. We quote Fabius to the people of the country, who are vitally interested in these important bills, "If you are a great soldier, you will make us come down and fight." That is our answer, and in the meantime we hold interminable hearings upon unimportant bills; we are always busy, very busy, doing little things that might as well be done a year hence, or possibly never.

COMMITTEE FOLLOWS FABIAN STRATEGY

On the motion of the gentleman from Missouri [Mr. HAWES] we took up the truth in fabric and misbranding bills nearly three weeks ago, and since doing so he has honored us with his presence only upon one day, so far as I can recollect. We have gone on and on, holding these hearings day after day, with iteration and reiteration. We have never had a quorum pres-

ent; this morning only two Members, the gentleman from Nebraska [Mr. SHAFFENBERGER] and the chairman of the committee were present. I do not blame Members for staying away. They know the committee is just following the Fabian strategy, busying themselves with doing little things so as to avoid being called upon to do important things; they know that nothing worth while is going to happen, so what is the use of going to the hearings and wasting their time.

I would like to see a real misbranding bill brought out by the committee, but do not imagine that I am such an optimist as to expect it. Such a measure as will be brought out, if any at all, will be such as the great exploiting interests of the country want brought out.

Next Monday, May 5, is going to be an eventful day in this House. We are going to put in operation for the first time the committee-discharge rule. Did we mean to use it when we adopted it? When we voted for it, did we really believe in it? It will be an eventful day, because those who did not really believe in the rule will find an excuse to vote against using the rule to bring the Howell-Barkley bill before the House.

Oh, the gentleman from Kentucky [Mr. BARKLEY], so the gentleman from Massachusetts [Mr. WINSLOW] says, argued against the adoption of the committee-discharge rule and now is going to use it. He sees an inconsistency in that. That is for the gentleman from Kentucky [Mr. BARKLEY] to defend against if it needs defense, but it looks to me like he has paid a tribute to Mr. BARKLEY. He has shown that he at least had intelligence enough to see the light, and the House having adopted this rule, he proposes to take advantage of it and use it for the benefit of the people whenever possible. But the gentleman from Massachusetts [Mr. WINSLOW] and the gentleman from Indiana [Mr. SANDERS] are undoubtedly consistent. They voted against the adoption of the rule, and they are going to vote against using it. They believe in the policy advocated to-day in his speech by the gentleman from Missouri [Mr. HAWES] of throttling bills in committees, of killing legislation which the people want because a committee has been so arranged and adjusted and manipulated that a majority can not be induced to vote for it. [Applause.]

FORCES OF REACTION WORKING EVERYWHERE

The gentleman from Missouri [Mr. HAWES] seems to think that because in my State it is required that a bill be referred to a committee and reported therefrom I am precluded from all argument. Let me say to the gentleman from Missouri [Mr. HAWES] that the forces of reaction are working down in Alabama just the same as they are here in Congress. Just as there are in Congress, so there are those in Alabama who do not want the voice of the people to be heard or their interests considered, and want to find some left-handed way of striking down legislation without meeting it squarely and saying "yes" or "no" upon the merits of a measure.

But let me say in defense of my State, that it is beyond the power of a committee in that State to pigeonhole a bill like this bill has been pigeonholed in the Committee on Interstate and Foreign Commerce. Under the established procedure in the Alabama Legislature a measure referred to a committee by a majority vote can be forced into the open for consideration and passage, exactly as we are trying to do here now.

Oh, the issue is plain, gentlemen. Let us not deceive ourselves; we will be unable to deceive anyone else. Let us not argue here with sophistry and subterfuge and evasion about this matter. The whole question is, Are you for this bill or are you against it? That is all there is to it.

It seems to me the part of courage to meet the issue squarely, and I want to say to you that the people who believe in this bill will interpret your action, whether it be by "sideswiping" or some more direct method; they will interpret your action correctly. Do not forget that.

When, against the practically unanimous opposition of the laboring people of the United States, we passed the Esch-Cummins bill four years ago they were very much wrought up over it. They have remembered it down to this good day against some Members who previously had been their friends. And Members of Congress who voted for that bill have complained to me and said, "I have always been a friend of labor and they ought not to hold this against me. They did not warn me. They ought to have told me in advance that they were going to accept my action upon that bill as the test of my friendship for them, so that I might have understood what consequences would ensue." Without thought of any threat or desire to influence your action it may be that I am doing my duty by you, gentlemen, to tell you, simply as a matter of information, that the laboring people of this country have set their hearts upon this bill and are going to accept your action

upon it as the test of your professions of friendship for them. [Applause.] Now, no man can hereafter say he was not warned in time.

LOOKING ONE WAY, BUT SHOOTING ANOTHER

The gentleman from Indiana [Mr. SANDERS] said—and I ought to be able to repeat it because I have heard it so often here—the gentleman said, "I believe in organized labor." I have heard that so often in this House, and so often have I heard it come from gentlemen whose professions were the sole evidence of their statements. They said they "believed in organized labor" but always they voted against the things that organized labor wanted and asked. And I have heard another type of gentleman say, "I believe in labor, in those who toil, but I do not believe in labor organizations." That also is an old story, for I have noted on so many occasions that I might almost say always, that those who make that profession are, even as they make it, getting ready to strike at the common man, and are merely offering an excuse for the injustice which they are about to do.

I can well understand the type of mind and the political philosophy of Members who believe that those of wealth and intelligence and those who belong to the upper social classes should rule the country, and should enjoy special privileges and receive the best of everything. We once had a very respectable President of the United States who held to a similar philosophy. Gentlemen in these times are usually not so bold and open as he was, but many of them still hold to that same philosophy. Given a man who feels that way I can at least understand his voting against the common people, and I can understand his fighting labor organizations, the only organized fighting forces that labor has for its defense.

Mr. HAWES. Will the gentleman yield for one question?

Mr. HUDDLESTON. Will the gentleman excuse me just a moment?

Mr. HAWES. You refuse?

Mr. HUDDLESTON. Why, certainly, I refuse.

If a man holds to that theory, he is entirely consistent in fighting labor and organized labor and everybody that does not belong to the favored classes and being all the time for those who ride upon the shoulders of the masses. I have more respect for a man of that type than I have for one who says, "I believe in organized labor," yet always stabs organized labor, or who says, "I believe in labor but not in the unions," yet always stabs at common men and women.

Mr. BARKLEY called this bill to the attention of the committee. He moved that the committee take it up as soon as it had finished a measure which it was considering. Discussion was had, and it was decided to take up two certain matters of legislation as soon as the matter under consideration was finished. Then Mr. BARKLEY moved that his bill be taken up next following, but the committee voted by a majority against taking it up.

The bill went into the long sleep. The committee did not vote that they would never take it up. Nobody ever heard of a committee doing anything like that. But they resorted to exactly the same method as they would had they intended never to take it up.

I am sorry that the Members of the committee who have spoken are not more clear in expressing their candor. They cast the haze over the House that if given more time they would take up the bill, give it consideration, and favorably report it. Yet they know that nothing of the kind is contemplated or will be done. The committee might hold hearings as a "bluff"; but hearings would be futile, for every member of the committee knows there is not the slightest chance on earth that the bill will be favorably reported by the committee during the present Congress or even during a Congress 10 years from now if the committee should remain as at present constituted.

Mr. HAWES. Will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. HAWES. Did the gentleman from Alabama at any meeting of the committee ever move to take up one of these railroad bills?

Mr. HUDDLESTON. No. Does the gentleman from Missouri think that with men like those who compose the majority of the committee I would be foolish enough to waste my time in trying to get a reduction of railroad rates? Surely I have not a reputation in the House of utter senselessness. [Laughter.]

HOWELL-BARKLEY BILL MISREPRESENTED

Now, gentlemen, I want to discuss the bill somewhat on its merits. A great hullabaloo has been raised over it. These big guns of the stand-pat policy have tried to make you believe that it means tremendous things, something revolutionary. I suppose

their attitude is owing to their revulsion against anything that would touch the Esch-Cummins Act. Having brought that measure out of committee and foisted it upon the country, having incorporated in it section 15a, which has raised railroad rates from 25 to 40 per cent, having thrust into it the labor sections which produced the greatest strike this country ever saw, having done this great work, they feel there is something sacrosanct about the Esch-Cummins Act, and pray the Deity to strike any man who dares lay a hand on that "ark of the covenant." If a majority of the Members of the House agree with them, the sooner we know it the better.

The people of the country will find out next Monday just what to expect of the House. There is no use bluffing that you are trying to give the people relief if the majority of the House is against it. Next Monday will be a very good time for the people to find it out. That will be before the elections. It is timely that we should know on next Monday who are the Members of the House who want to do something to remedy the wrong that was done by passing the transportation act of 1920.

Mr. JACOBSTEIN. Will the gentleman yield for a simple question?

Mr. HUDDLESTON. I will.

Mr. JACOBSTEIN. Is it not a fact that President Harding recommended legislation which would amend the Esch-Cummins Act in a speech delivered in Kansas City, Mo., June 26, 1923?

Mr. HUDDLESTON. Yes; President Harding urged that the act be amended so as to stimulate consolidation, and stated that he would have legislation to that end brought before the present Congress. President Coolidge, in his address to Congress of December 6, 1923, said:

The Labor Board was established to protect the public in the enjoyment of continuous service by attempting to insure justice between the companies and their employees. It has been a great help, but is not altogether satisfactory to the public, the employees, or the companies. If a substantial agreement can be reached among the groups interested, there should be no hesitation in enacting such agreement into law.

He also at that time urged amendments to the act which would stimulate consolidation of railroads and which would provide for a reorganization of the rate structure.

WHAT "DON'T TOUCH THE TRANSPORTATION ACT" REALLY MEANS

But the gentleman from New York [Mr. JACOBSTEIN] must bear in mind that the transportation act becomes sacred literature only when it is proposed to amend it so as to reduce rates or to relieve labor or do something else for the benefit of the general public. It is not sacred against amendments to further the interests of the railroads. Our committee would already have reported such amendments had there not been the fear that thereby countenance would be given to some "vicious" effort to amend the act in the interest of the people.

The railroads fear that, once amendment is started, some provision that is not for their interest will be inserted. Hence we have the nation-wide propaganda for standing still. "Don't touch the Transportation Act." That is the cry of every railroad executive, and its echoes come back from every railroad-controlled organization, individual, and newspaper in the land.

In harmony with the position of the railroad managers and the powerful financial interests back of them and the echoes which they have called from commercial bodies in nearly every whitewashed village in the country, the majority of the Committee on Interstate and Foreign Commerce have accepted the dogma of the inviolability of the Transportation Act. I remember that in the course of his speech in behalf of the bill when it was being forced through the House four years ago I heard the gentleman from Indiana [Mr. SANDERS] say that it was "a great constructive piece of legislation." His phrase has hung to me until this day. A "constructive piece of legislation" which raised railroad rates from 25 to 40 per cent and provoked the greatest labor disturbance in all the history of the Nation. But they hang to their obsession that no profane hand must be permitted to defile it.

A MOVE FOR PEACE NOT FOR STRIFE

This bill is a measure for industrial peace and not for strife. It is true it comes from the minds of leaders of the American labor movement. It represents the best effort they can make. It is not destructive legislation such as that advocated by the gentleman from Kansas [Mr. TINCER], whose statesman-like bill proposed the flat repeal of the labor sections of the act, and to leave the railroads and the employees to fight to a finish. It is constructive legislation, intended to present a remedy for labor strife in transportation. It is peace legislation, and will make for peace and harmony between the carriers and their employees and thereby promote the general public

welfare. Let me say to you, my friends, that the twelve hundred thousand members of the labor organizations advocating this bill are men and women, citizens of this country and consumers, and as much interested in keeping transportation going as any class of people in the world.

In point of fact, the laboring man is more interested in preserving industrial peace than either the employers or the public. Always the laboring man is interested in preventing strikes. Always the strike costs the striking laboring man more than it does anyone else. True, the public has an indirect interest and the employer also has an interest, but the laboring man has more at stake than all the rest. When he goes on a strike, whatever the final result may be, he makes the sacrifice of a part of his life. His commodity, the only thing he has to sell, is labor; and that part of his irreplaceable stock in trade, measured by the period of the strike, spills upon his hands and is lost to him beyond recall. The necessities of life for himself and his family, his hope of making himself independent for his old age—all these things go when the strike comes.

Let me, as one who knows the intelligent workingman, say to you that every such man enters upon a strike even as you would go upon a surgeon's table for a major operation—only as a last resort. The laboring man strikes because he feels that his loyalty—not to his immediate, selfish interest, but to his class, to his calling, to his wife and children, and to other workingmen who shall come after him—demands that he make the sacrifice.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to proceed for 20 minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. HUDDLESTON. The laboring man goes out upon a strike even as a soldier goes into the front-line trench to fight for his country, fighting not for himself but for all common men, that their labor may be made to yield a just return and their future be assured. Of course the strike costs him more than anybody else.

RAILROAD EMPLOYEES WANT PEACE

The railroad employees of this country want peace between themselves and their employers, and they realize that there can be no peace under the present system. After long and careful consideration and with the aid of the most skilled advice, they have drafted this bill. They have worked it over and over from every angle. Having completed the bill they submitted it to the administration itself. They were referred to Mr. Hoover and had consultations with him. He considered the measure from the standpoint of the public. He endeavored to get the railroad executives to meet with their employees to discuss this bill but they declined to do so.

Mr. NELSON of Wisconsin. Is there a single thing in this bill that the railroad employees ask for themselves that they have not equally accorded to the carriers?

Mr. HUDDLESTON. Not one thing on earth. There has been more misrepresentation about the purpose of this bill than any measure which has been before Congress within recent years.

Mr. WINSLOW. Mr. Speaker, will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. WINSLOW. In order that the House may have the benefit of the gentleman's statement, with reference to Mr. Hoover's attitude, would the gentleman like to read a letter from Mr. Hoover in regard to his position?

Mr. HUDDLESTON. I will be glad to read it privately. I prefer not to take up my time with it now. So that there will be no misunderstanding I state that the President was approached about this bill by the committee which drafted it. He referred the committee to Mr. Hoover and they submitted the bill to him. Mr. Hoover made two suggestions for changes, which after discussion and explanation he did not insist upon. He made an effort to get Mr. Holden and the representatives of the railroads to confer with the employees, but was unable to get them to do so. That is the history of the matter. We do not need any letter to tell that.

Mr. WINSLOW. That is the gentleman's hearsay, but I will give the gentleman what Mr. Hoover said.

Mr. HUDDLESTON. I suggest that the gentleman print his letter in the RECORD. I feel no great interest in what Mr. Hoover says, nor in what his views may be.

What does this bill do? There is not a single important element of untried legislation in it. Do not take my word or that of the gentleman from Indiana [Mr. SANDERS] for it, but study

the bill. He has tried to scare you, and, as you know, he is a very able man and good at scaring. I want each Member of the House to acquit his conscience by studying this bill for himself, and making up his own mind about it. Do not take anyone's opinion.

I repeat, however, there is not a single substantial piece of new matter in the bill.

Mr. HUDSON. Mr. Speaker, will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. HUDSON. I am interested in what the gentleman is saying, and I wondered if I heard him correctly that the bill would make no new legislation.

Mr. HUDDLESTON. No legislation which has not heretofore been in force.

Mr. HUDSON. If so, what is the need for considering it at all?

Mr. HUDDLESTON. Oh, it is not now in force. I do not want the gentleman to believe that I mean that it is merely a rehash of existing law. It carries no provisions of any moment which have not heretofore been in force, nor does it introduce any new practice.

The Esch-Cummins Act, the sacred literature of the gentleman from Massachusetts [Mr. WINSLOW] and the gentleman from Indiana [Mr. SANDERS] dealt with this subject. As it was brought upon the floor of the House and originally passed by the votes of both those gentlemen the Esch bill provided for boards of adjustment and expressly provided that the labor representatives on those boards should be designated by the chief executives of the several labor organizations, specifically naming the organizations. These gentlemen voted for it, and one of them said at the time that it was a great piece of constructive legislation. These boards were permissive boards. It went over to the Senate. The Senate passed the Cummins bill, which provided for a compulsory system for the settlement of labor disputes. The legislation then went to conference.

The gentleman from Massachusetts [Mr. WINSLOW] has emphasized the need for consideration of the Howell-Barkley bill and for hearings upon it. Yet we find that when the Esch-Cummins bill went into conference entirely new labor sections were written into that bill by the conferees. No hearings whatever were held. Those sections were written by the conferees alone. The House was not taken into their confidence. The entire bill was rewritten in eight days. There was not a tenth part of the debate over it that already there has been over this bill. The conferees wrote the labor sections of the transportation act and there they provided for adjustment boards. I wonder if the gentleman from Indiana [Mr. SANDERS] has read that act recently. Section 302 reads:

Boards of labor adjustment may be established by agreement between any carrier, group of carriers, or carriers as a whole, and any employees or subordinate officials of the carriers or organization or group of organizations thereof.

Mark you, that is a provision of the existing law. The boards are permissive or voluntary. The only difference between existing law and the provision in the Howell-Barkley bill is that the latter makes the creation of adjustment boards compulsory.

Mr. NELSON of Wisconsin. The gentleman from Indiana stressed the fact that wage questions would not be taken up by the adjustment boards. Is not that so in the present law?

Mr. HUDDLESTON. Yes; under existing law wage questions are considered only by the Labor Board.

ONLY CHANGES FROM EXISTING LAW

The only substantial changes made in existing law is: First, to substitute for the present Railroad Labor Board, a Board of Mediation and Conciliation; and, second, to make the creation of adjustment boards compulsory instead of voluntary.

Mr. MILLS. Will the gentleman yield?

Mr. HUDDLESTON. I will.

Mr. MILLS. Is it not likewise true that under the present law boards of adjustment may be created for a single railroad system as between the carrier and its employees, whereas in your bill you provide solely for national boards?

Mr. HUDDLESTON. The existing law provides that the boards may be created by a carrier, group of carriers, or the carriers as a whole.

Mr. MILLS. Whereas your present bill provides only national boards of adjustment? Is not that the fundamental difference?

Mr. HUDDLESTON. No; I think it is merely an advance in the line of economy, efficiency, and good sense, so that instead of having a hundred adjustment boards throughout the

country dealing separately with every carrier over the country and every dispute separately we provide for only four boards. What would be the expense for the multitude of boards created as the gentleman from New York [Mr. MILLS] intimates he would like to have done? Instead of costing \$500,000 a year they would probably cost many times that much—they would cost vastly more and accomplish no better purpose. It would be an utterly nonsensical thing to do.

PASSAGE OF BILL MADE NECESSARY BY FAULT OF RAILROAD MANAGERS

Why has it become necessary to pass this bill? Because the adjustment boards, made voluntary under the transportation act, are by it made compulsory. That is the answer, because the railroads refused to appoint the boards under section 302 of the transportation act and the result was that every labor dispute and grievance that originated among the millions of employees was thrown into the Railroad Labor Board, which was thereby so deluged with cases that they could not possibly accomplish their work. These disputes were thrown for decision into the Labor Board, which was wholly inadequate to meet the situation. The result was that several hundred of these cases are pending even to this time; some of these cases have been pending from two to three years with yet no prospects of a decision. The unavoidable delay in decisions became a denial of justice and will remain of itself a matter of grievance as long as we fail to provide some means of relief by which they may be determined.

What the employees are trying to do is to promote peace. And what are the railroads trying to do? I give you the key to it in the statement made by Mr. Atterbury who was one of the labor committee of the railroad executives appointed to consider what they should do with reference to section 302. Eight out of nine of that committee of the leading railroad executives of the country agreed that if they should appoint the adjustment boards it would promote peace, and these eight recommended that the carriers should cooperate with the employees in creating the boards. But one man stood out, the hard-boiled financier Mr. Atterbury, who boasted that "he had learned his lesson in France." He stood out and his influence, and that of the Wall Street interests which stood back of him, were strong enough to force the adoption of his recommendation by the railroads instead of the recommendation of the eight other members of the committee which had dealt with the subject.

What reason did Mr. Atterbury give for his position? I have here an extract from his minority report:

As an evidence of the interest of the public in this situation, I invite attention to a question recently submitted by the United States Chamber of Commerce to its membership throughout the country to a referendum vote. This question, which is analogous to that with which we are dealing, read: "The right of open-shop operations; that is, the right of the employer and employee to enter into and determine the condition of employment relations with each other is an essential part of the individual right of contract possessed by each of the parties."

And the vote was: In favor, 1,665; opposed, 4.

Remember that this vote was taken under the auspices of that great benevolent institution the United States Chamber of Commerce. Mr. Atterbury said further:

Private ownership is on its last trial.

Atterbury said that, which shows that he thinks along the same line as the gentleman from Indiana, Mr. SANDERS, who made about the same statement in his speech to-day. Mr. SANDERS said that this effort on the part of the railroad employees to promote peace between themselves and their employees is an attack on private operation. That is what all that type of gentlemen say. They see a Bolshevik in every bush, and if they see a man with corns on his hands they know that he has a bomb in his coat tail.

Mr. Atterbury further said:

Can it be possible that you will deliberately invite a condition inevitably enlarging the power and amplifying the influence of those forces which are determined to wrest from your control the properties which you now operate?

Do you notice that these men whose affairs run into millions and who represent great interests love to talk about lands, railroads, and houses as "properties" just like that? He said:

Throughout the critical situation through which the railroads have passed from Federal control to their return to private ownership, the railroads have had, most generally, the sympathetic cooperation and support of the industrial and commercial organizations.

Later he added his climax:

Our duty is clear. Make no contract whatever with the labor organizations.

So now, my friends, you have the reason why the railroads refused to appoint the adjustment boards. It was because that by acting with them in that matter they would recognize the labor organizations. Those of the Atterbury school made it a question of whether they would recognize the labor organizations or fight them to the death. It is these railroad executives, who want to destroy the labor organizations, who are now fighting this bill. They have inspired every little town in the country large enough to have a civic body to send to Congress a lot of foolish propaganda against this bill.

WHERE OPPOSITION COMES FROM

The inspiration for the opposition of the Howell-Barkley bill comes from three sources. The first is those who have been misled by the cloud of misleading propaganda which had been emitted by the railroad executives, who are fighting the bill. The purpose of the bill has been grossly misrepresented to business interests, officials of short-line railroads, company union men, and the public generally. Well-meaning but misguided persons from almost every community in the country have been induced to write or wire their Congressman opposing the bill. Few indeed are the instances in which these parties have read the bill or have any fair idea of what it means. Their opposition is based on cold ignorance and their willingness to obey a prod from the "higher ups" of railroad lawyers and railroad officials.

The railroad propagandists have told business men to oppose the bill on the ground that "the public is not represented on the adjustment boards." There is no provision for public representation on the adjustment boards provided by section 302 of the present law. There was no reason for public representation, because the adjustment boards, alike under section 302 and under the Howell-Barkley bill, deal merely with grievances and disputes between the carriers and their employees in which wages are not involved. The public has no interest in these disputes. Nonexperts could not function in settling them. On the other hand, to take the place of the Railroad Labor Board in its function relating to wage contracts, in which the public is interested, instead of a board with three public members and equal numbers of labor and carrier members, as provided by the existing law, the Howell-Barkley bill creates a board of mediation composed wholly of public members and with no labor or carrier representatives thereon.

The short-line officials have been told to protest that the Barkley bill would interfere with their labor or in some other way harmfully affect them. This is not true. The short lines will be left in exactly the same situation as they are under existing law. No additional duty will be imposed upon them. They will not be forced to do anything whatsoever against their will. They will be left to settle any disputes or wage questions by conferences with their employees, just as they may now do, and if their employees are willing to work for 50 cents a day they can still work for that amount under the Howell-Barkley bill. There is no attempt by the bill to enforce union contracts, rules, conditions, practices, or other matters upon any carrier or employee.

THE "COMPANY UNIONS"

The "company unions," "system unions," and "shop unions" are so-called labor organizations, organized with the permission and under the fostering care of the employer. In most cases they are under the employer's control, do his bidding, and are intended for no other purpose than to be used as a club to fight the regular organizations. In the case of the Pennsylvania system's unions the members pay no dues. Their sole function consist in voting for their officials upon ballots upon which each voter must sign his name and which are counted by company officials. It is said that the union officers elected in this way are usually those dictated by the company. The union members hold no meetings, and their unions' existence is merely colorable. The P. R. R. Company pays the expenses and transportation of the officers of the union and any compensation which they may receive. The company even pays rent for the offices which the union officials occupy. Of course, such a union is merely an arm of the company. It represents the company and in no sense can express the sentiments of the employees.

The company-union men, who probably number from 150,000 to 300,000 nominal members, have been told to protest against the bill on the grounds that it would force them under the control of the regular organizations. This is wholly untrue. They will be left to continue their separate existence,

nominal and fugitive though it may be. They can go on negotiating with their employers and accepting employer dictation as they are forced to do. There is nothing in the bill to prevent this.

But the company-union men say that the labor members of adjustment boards will be composed of members of the regular organizations. This does not follow. Any labor organization organized on craft lines is free to make nominations for the adjustment boards if by their fundamental law the nominating organization is not confined to a locality or system—that is, it must by its fundamental law be of the nature of a national organization. It is intended that the adjustment boards shall be composed of experts and that the labor members shall be skilled craftsmen, competent to deal with disputes relating to their crafts. This purpose necessitates nominations by a craft organization, and since the boards are to have national jurisdiction, manifestly it is proper that the nominating organization should not be circumscribed by its fundamental law and confined to a single locality or system. All that the company unions need to do to entitle them to make nominations is to organize along craft lines and to omit from their constitutions any limitation upon their geographical extent and activity. We may thus have a dozen independent national organizations and associations of company unions and each of them nominating members of adjustment boards in opposition to the nominees of the regular organizations. And the President, in appointing the boards, may name the nominees of the independent, outside, or company-union organizations.

And there is the opposition which comes from gentlemen like those who have spoken here to-day who regard the Transportation Act as a piece of sacred literature, from which for anyone to take away or add a word is to invoke damnation upon their souls. They look upon it as something that must not be changed and apply to it the words found in the last chapter of the Book of Revelations:

If any man shall take away from the words of the book of this prophecy, God shall take away his part out of the book of life, and out of the Holy City—

that is to say, he shall be damned, or something worse. [Applause.] With them it is the same with the Transportation Act. They worship it. And in the meantime the people of the country groan under the burden of excessive railroad charges and the railroad employees feel that they are being deprived of their rights in connection with their employment.

Then there is another source of opposition: They are the labor haters, those who, like Atterbury, say, "Make no contract whatever with the labor organizations." A lot of this opposition comes from men who under all circumstances are fighting the workingman's organizations and who say, "Do not treat them as though they were human beings. Beat them down. The first thing you know they will be thinking they are men. Beat them down. Use every process of force. Destroy their organizations, undermine their confidence in their leaders, drive them down to be the brothers of the ox." That is really the philosophy back of their attitude. I wonder whether, here in this popular branch of the American Congress, where men have come fresh from the great body of the people—I wonder whether such a philosophy will be sustained. God forbid that it should.

THE RAILROAD LABOR BOARD A FAILURE

The Railroad Labor Board as an instrument for promoting labor peace has failed. Its usefulness, if any it ever had, has ended. The failure of the board has been due in part to its faulty constitution. I quote from Mr. Hoover's address to the Transportation Congress on January 9, 1924:

The present set-up of labor adjustments has not given entire satisfaction, and in considerable degree this is due to inherent faults in the construction of the board and in its authorities. We have in this board confused four different functions in labor relationship. The board has in parts the machinery for collective bargaining, for arbitration, for conciliation, and judicial determination.

The board has failed in collective bargaining because it tried to represent both sides. It has failed as an adjustment board because it was controlled by nonexpert public members who of course could not function. It has failed at mediation because it had carrier and labor members who were partisans of their separate sides. It failed as a court both because it had carrier and labor members who were partisans and because its decrees were unenforceable.

But the failure of the Railroad Labor Board has in chief been due to the fact that the employees became convinced that it had been packed against them and that its public members were prejudiced, partisan, and unfair. Even two of its labor members were appointed against the wish of the employees and with-

out having been nominated by the organizations to which they were credited. Its public member, Chairman Hooper, became an active propagandist against the employees, and while quite complacent over the flouting of the board's authority by the railroads was tremendously aroused when the employees retaliated.

The Railroad Labor Board has failed. Already certain of the powerful labor organizations have definitely decided to ignore the board entirely in future and to endeavor to settle their issues directly with the employing railroads. A few months ago, by direct negotiation with the great New York Central, the train organizations made a contract which yields them an advance in wages. Following that precedent the bulk of the great systems west of the Mississippi have negotiated contracts with their employees.

There appears to be a general tacit understanding that the Labor Board is useless and can not function in future. We are left, therefore, either to revert to the labor system in force prior to the Erdman and Newlands Acts under which railroads and their employees might negotiate contracts with each other or resort to strikes and lockouts disastrous to transportation, or to adopt some law which will promote negotiations and adjustment.

Shall the employees and the railroads fight to a finish, with the stronger left to impose its will upon the other, incidentally crucifying the public interest, or shall the public intervene by a moderate and reasonable law to promote labor harmony in the railroad world? This is the issue which is squarely up to us. It is to meet this issue that the labor organizations have prepared this bill and are asking that it should be considered by Congress.

Not by any means are all railroad executives opposing this bill. The opposition comes in chief from those who have organized company unions to fight the regular unions and who are more interested in destroying the labor organizations than they are in successfully operating a railroad. These men oppose the bill chiefly because it was proposed by organized labor. As a matter of fact, there is really nothing in this bill which should provoke the opposition of any railroad official, whether he is opposed to the unions or not. The opposition of this class is largely due to blind prejudice.

But there is no doubt that the railroad interests generally are unfavorable to the bill not because of the bill itself but because of the fear that it will prove the entering wedge for other railroad legislation. They are opposed to railroad legislation of any kind. Their cry, which they are transmitting through Civic bodies and other interests under their control, is, "Let the Transportation Act alone"; "Let us give it a further trial." They would be glad enough to amend the transportation act in particulars for their own interest if they could be sure that it would not lead to amendments offered by the interests which they are exploiting. They fear the repeal of section 15a and the reduction of freight rates. They fight all amendments in the interest of holding section 15a and their present extortionate rates intact.

"PEACE AND WAR; TAKE WHICH YOU PLEASE"

Do not think, however, my friends, when you vote for this measure on next Monday, that you are voting for or against the labor organizations, you Members who live in rural sections and who have no labor organizations or other interests except the farmers. It is not merely a question of labor. It is a question of peace in the transportation industry. It is a question whether we shall have transportation interfered with by labor strikes or not. It is a question of whether we will settle disputes between railroads and their employees by peaceful methods or by the strike. That is the choice that you are invited to make.

As a sort of spokesman for the employees, I may quote the words of the Roman ambassador:

Here we bring you peace and war; take which you please.

Which do the interests of the folks at home require that you take? Will you stand with employers who can not see an inch beyond their noses and strive to drive down the American workingman to a lower basis, or will you carry in your hearts the future of our country, its development, and what may follow in the way of prosperity and success in the years that are to come?

These laboring men have brought you a bill, not drawn in their own interest, but drawn in the public interest. They ask you to bring it before the House. Are they not entitled to have it considered? Will you consign it to remain at the tender mercies of the Committee on Interstate and Foreign Commerce? If you do, do not rise up and plead infancy and non compos mentis when the question is hereafter brought up, because I tell you that to refuse to discharge the committee

means that this bill will never come before the House, and you will never have an opportunity to consider it.

Consider the bill on its merits. If you feel it ought to be voted down, vote accordingly, of course. But do not shove it in a pigeonhole. Do not refuse these twelve hundred thousand working men a chance to get their measure considered. Examine it for yourselves. The issue is before you.

Mr. NELSON of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. NELSON of Wisconsin. There are hearings in the other Chamber on this question, are there not?

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. HUDDLESTON. Mr. Speaker, may I have one minute more?

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. HUDDLESTON. Answering the question of the gentleman from Wisconsin, I say yes; full hearings on this bill have been held by the Senate committee. The railroads have been represented at those hearings by nearly a dozen of the ablest railroad executives in this country, including their able attorney, Colonel Thom. They have said everything that could be called an argument that men can say against this bill. Also, the proponents of the bill have presented their views in a brief and succinct way. Those hearings have been printed. Get a copy of them. Read them, and prepare yourselves on the bill. They are better hearings than those that would have been held by our committee, for they are shorter. They are long enough. Read the hearings, and let us have a vote on this bill. [Applause.]

In recapitulation I desire to state in brief the objections which were made to the Barkley bill by the carriers' witnesses in the Senate hearing, and to make answers thereto, as follows:

I. THE GENERAL DUTY IMPOSED ON EMPLOYERS AND EMPLOYEES

There seemed to be no objection to the general duty imposed in section 2 upon carriers and employees "to exert every reasonable effort to make and maintain agreements concerning rates of pay, rules, and working conditions, and to settle all disputes arising out of the application of said agreements."

Carrier witnesses agreed that such effort is "the established practice and is the method promoted and desired not only by representatives of employees but also by railroad management." (Testimony of Mr. Hale Holden.)

II. THE SELECTION OF REPRESENTATIVES TO DECIDE DISPUTES IN CONFERENCE

Objection A: The requirement of section 3 that conferences upon disputes shall be held "between representatives designated and authorized so to confer" is followed by the provision that such representatives shall be designated by each party "without interference, influence, or coercion exercised" by the other party. It was objected that this would prevent a management from "submitting its side of the case to the employees" (Mr. Walber); which was later explained (by Mr. Thom) to mean that a management would be prevented from protesting against the character or conduct of employee representatives.

Answer A: The bill only prohibits the employer from interfering in the selection of representatives, or from controlling the organizations of employees so as to dictate the selection of employee representatives. There is no limitation whatsoever upon the power of the employer to persuade the employees or their representatives to agree with him. On the contrary, the bill requires the parties to "exert every reasonable effort" to agree.

The necessity for a provision prohibiting the employer from controlling the organization of employees—whereby their pretended "representatives" are merely secret agents of the employer—has been proved by the persistent evasion in this manner of the present law by a few large railroads.

Chairman Hooper, of the present Labor Board, who testified in favor of retaining the Labor Board, nevertheless urged that the law be amended so that "the carrier should not be permitted to evade the law by conferring with somebody else under the pretense that it is conferring with the employees' representatives. If this is done, and it has been done, the very vitals of the law are cut out and cast away."

Members of Congress are now being deluged with memorials from officers of company unions claiming to "represent" thousands of employees who are stated to be opposed to this bill which would insure them honest representation. These company-union officers who are sending in messages are paid by the employers, according to their own admissions in the committee hearings. It was admitted that the railroads helped prepare their statements and paid their expenses. Their "organizations" are supported by company funds or by dues

forcibly collected from workers compelled to join these company unions. Yet these company agents insult the intelligence of Members of Congress by claiming that the employees whom they are hired to betray do not want Congress to free them from their enforced and un-American servility.

III. THE REQUIREMENT THAT CONFERENCES SHALL BE BEGUN PROMPTLY

Objection B: The carriers objected to the provisions of section 3, A-3, requiring the fixing of a time and place for conferences, on the ground that when there are many disputes it may be difficult or impossible to hold conferences within 20 days of notice.

Answer B: The bill does not require conferences to be held continuously or to be terminated within any fixed time. But they must be started promptly. A similar right is given to every litigant in any court to require his opponent to respond promptly to a motion. Then the matter is heard according to the convenience of the court and of the parties. Nothing more exacting is required by the proposed act. Nothing less will prevent carriers from evading the proposed law as they have evaded the present law, by postponing indefinitely the beginning of conferences.

Chairman Hooper, of the present labor board, testified that the mandatory requirements of the present act for conferences "have been disregarded and evaded by a number of railroads with consequent disadvantage and injustice to the employees." The requirements of the proposed act are designed to prevent such evasions.

IV. BOARDS OF ADJUSTMENT

The principal objections of opponents of the bill were directed against the creation of four national boards for the adjustment of grievances of employees arising out of the application of agreements.

Objection C 1: The carriers and others (who either misunderstood or willfully misinterpreted the provisions of the Howell-Barkley bill) objected that the four national adjustment boards would bring about standardized national wages or rules.

Answer C 1: The national adjustment boards have nothing to do with either making or changing of agreements whereby wages or rules are established. They only decide disputes over the application of agreements, called "grievances."

Section 4 reads as follows: "If any dispute arising only out of grievances or the application of agreements concerning rates of pay, rules, or working conditions is not decided in a conference * * * it shall * * * be referred * * * to the adjustment board which * * * is authorized to hear and decide such dispute."

Section 5 provides that "if any proposed change in rates of pay, rules, or working conditions is not decided in conference between the parties, either party may invoke the services of the board of mediation and conciliation."

Thus it is plain that agreements are made and changed (1) by conference between representatives of a single carrier and its employees; (2) by mediation; or (3) by arbitration. There is no provision made for any action by any national adjustment board to fix wages or rules or to make or change agreements. Nor is there any machinery provided for making any "national agreement" upon wages or rules.

Objection C 2: It has been objected that the national adjustment boards are substituted for the Labor Board and that there is no "public" representative on them.

Answer C 2: The boards of adjustment are not substituted for the Labor Board. The board of mediation and conciliation, composed only of five public members is substituted for the Labor Board, which is now composed of three public members, three carrier members, and three labor members. The carrier witnesses—supported by company unions—urged that the present Labor Board be changed to five public members, two carrier members, and two labor members. The board would then be controlled by the five public members and, as their decisions would not be enforceable, they would constitute practically a board of five public mediators which is precisely what is provided in the proposed law.

BOARDS OF ADJUSTMENT ARE PROVIDED FOR IN THE PRESENT TRANSPORTATION ACT

The insincerity of objections to the proposed boards of adjustment is shown by the following facts:

1. The present law provides for the establishment of boards of adjustment (sec. 302) to handle grievances only (sec. 303)—but they were to be established by agreement between carriers and employees. Such boards were recognized by railway executives (March, 1920) and the Labor Board (July, 1920) as "an essential part of the machinery to decide disputes."

2. The labor committee of the Association of Railway Executives in March, 1920, voted 8 to 1 in favor of establishing three national adjustment boards, substantially the same as Boards No. 1, 2, and 3 in the present bill. The carriers and the national labor unions were to name an equal number on each board. The 8 who voted for national boards were Presidents Gray and Holden—who now testify "there has never been offered any satisfactory reason for their creation"—Besler, Hustie, Loomis, Maher, Markham, and Young. Vice President Atter-

bury, of the Pennsylvania, alone dissented. Mr. Atterbury, backed by bankers and large industrial employers, advocated a labor-union-smashing campaign. "Make no contract whatever with the labor organizations," he urged. The Association of Railway Executives eventually voted with him 60 to 41, and reversed its labor committee.

3. Because the railroads refused to establish adjustment boards the Labor Board was swamped with grievance disputes which it had not been expected to handle and which it was incapable of handling efficiently.

4. The proposed act will simply establish by law the boards which were provided for—but to be created voluntarily—in the transportation act—boards which are essential to prompt, effective settlement of grievance disputes over the application of agreements.

5. Chairman Hooper testified that "the employees are correct in their contention that the failure of the carriers and employees to agree upon the establishment of adjustment boards has substantially detracted from the effectiveness of the law." This is putting it mildly. The fact is that the financial masters of the railroads deliberately destroyed the legal machinery intended to provide prompt justice for the employees, against the advice of the best railroad operating executives.

Objection D: The carriers and some company unions contend that establishing national adjustment boards will prevent single railroads from establishing local adjustment boards.

Answer D: Local adjustment boards are merely extensions of "conferences" between a single carrier and representatives of its employees. The bill requires every reasonable effort to settle disputes in conference. Nothing in the bill prevents the establishment of local adjustment boards by agreement whereby their decisions shall be final, so that the parties are not required to go before the national boards, if they agree to settle their disputes otherwise.

Objection E: A few small labor organizations object that the disputes of their members do not come within the jurisdiction of any one of the national boards, and that they have no tribunal of appeal.

Answer E: Any dispute not settled in conference or by an appropriate adjustment board will go to the board of mediation and conciliation (sec. 5). Therefore these organizations have an appeal to the board which is substituted for the present Labor Board.

It would be unreasonable to establish boards of adjustment for every class of railroad labor. One actively protesting organization has had less than five grievance disputes a year before the Labor Board. The board of mediation will provide ample relief for them. The purpose of the adjustment boards is to provide a speedy machinery for settling the numerous technical disputes of more than 90 per cent of all railroad employees.

NECESSITY FOR ADJUSTMENT BOARDS

The efficiency of and necessity for such boards have been proved. During Federal control the corresponding Board No. 1 decided 3,000 cases without an appeal; Board No. 2 decided 2,000 cases with less than 10 appeals; Board No. 3 decided 1,100 cases with only 1 appeal. (Testimony of Director General Hines in hearings on Senate Resolution 23, January 24, 1922)

In its first two years the Labor Board was improperly required to decide some 1,200 cases and accumulated about 1,500 more undisposed of. At the start of this year hundreds of small cases were still undecided which had been pending for between three months and three years, working untold hardship on large numbers of employees and fermenting unrest. Furthermore, Labor Board decisions are not enforceable and have been frequently violated by the railroads (Labor Board report, November 15, 1923), whereas decisions of adjustment boards are made enforceable (sec. 4).

Objection F: The carriers and company unions object that the national organizations have the "special privilege" of "naming" the labor members of the national adjustment boards.

Answer F: The President of the United States will appoint all members of the national adjustment boards (sec. 3-B). No labor organization is mentioned anywhere in the bill. All "nationally organized crafts" have an equal right to offer two nominations for each position to be filled. This is a proper classification. It would be unreasonable to ask the President to consider the nominees of every local organization (of perhaps 50 or 500 men) for an appointment to represent perhaps 100,000 workers. But any national organization of employees whose work comes within a board's jurisdiction has the privilege of offering two nominations to the President. It is, of course, assumed that the President will desire to appoint bona fide representatives of the largest groups of employees interested. The regulation of how nominations shall be made and what organizations come within the spirit of the law can, and should, be left to the discretion of the President.

FOUR OBJECTIONS OF THE CARRIERS TO NATIONAL ADJUSTMENT BOARDS

Speaking for all the carriers, Mr. Holden listed four objections, which will be answered briefly.

Objection G 1: That national boards lose contact with local conditions.

Answer G 1: If the present law remains, all disputes will go to the Labor Board, which is a national board, having no contract with local conditions. This Labor Board has three public members who have no technical knowledge of railroad operation. The carrier and employee members will not be technically informed on a large proportion of the disputes they must consider. The proposed boards will be composed entirely of experts in the particular controversies which they will review. Being removed from the local atmosphere of prejudice they will be able to interpret contracts in the impartial light of good railroad practice.

Objection G 2: That national boards will standardize conditions.

Answer G 2: These boards will only standardize *interpretations* of agreements; that is, they will only standardize the law of railway labor contracts, which is obviously desirable. They will have no power to make or change rules, whereas the present Labor Board, having power to decide disputes over the making of rules, will continue its demonstrated tendency toward standardizing rules.

Objection G 3: That national boards will offer an invitation to appeal and so prevent settlements in conference.

Answer G 3: The present Labor Board, having the three nonexpert members, encourages appeals of poor cases. A disputant with a poor case will be far less inclined to appeal to an expert board, which would give him short shrift.

Objection G 4: That these boards involve unnecessary expense in maintaining and attending upon them.

Answer G 4: The expense of maintaining these boards will be far less per case than that of the Labor Board, because they will not sit as judicial bodies and require a staff of stenographers, clerks, examiners, and investigators. Their procedure will be simple and inexpensive and the cost to disputants will be infinitely less than the present excessive cost of producing evidence and making a record to educate the lay members of the Labor Board. These assertions are amply proved by experience with adjustment boards and with the present Labor Board.

V. THE CLAIM THAT THIS IS "NEW AND PARTISAN LEGISLATION"

Objection H: The carriers claim that the proponents of this bill are seeking new and partisan legislation.

Answer H: Ninety per cent of the Howell-Barkley bill is merely a rewriting of previous acts of Congress. It is a codification of tried and successful legislation. The duties imposed and conferences required are taken from the present transportation act. The provisions for mediation, conciliation, and arbitrations are simply revisions of the Erdman and Newlands Acts that have been the law since 1898. Under these acts peace was preserved on the railroads for 20 years. From 1913 to 1919, under the Newlands Act, which only covered train-service men, 148 major disputes were adjusted, affecting 586 roads and 620,810 men, without a single strike resulting.

The adjustment board provisions in this bill were in effect and operated with remarkable success (as previously shown) during two years of Federal control. Similar boards, established by the train-service men, by agreement with certain roads, have operated with uniform success since Federal control. Similar boards have been in completely successful operation for years in Canada.

In the conference between the Senate and House on the Esch-Cummins bills in 1920 the conferees agreed to provide for three national boards of adjustment (comparable to the proposed boards 1, 2, and 3), the labor members of which were to be appointed *directly* by the chief executives of the national labor organizations that are supporting the present bill. At the last moment, at the suggestion of Mr. Hines, the director general, but previously and now a railroad official, this provision was stricken out and the boards were left to be created by agreement.

Mr. Hines evidently assumed that the railway executives would continue voluntarily these boards, which he declared to have been "eminently satisfactory." The good faith of his suggestion is not questioned, but it was misplaced faith and did incalculable injury to the employees and the public.

The fact remains clear that Congress was on the verge of establishing in 1920 national boards of adjustment whose labor members would be *directly* named by certain designated national labor organizations. Yet in 1924 when these same organizations seek merely the privilege, in common with any other nationally organized crafts, of offering nominations to the President they are accused of advocating "new and partisan legislation."

MINOR OBJECTIONS

The carriers and other witnesses have offered some minor objections to the bill which need receive little attention. A sincere objector who has any constructive purpose should be able to present such objections in the form of proposed amendments. But since no such amendments have been offered such objections can be properly regarded as simply efforts to discredit the constructive work of those who are seeking the enactment of a just law. One example of these minor objections will suffice:

Objection I. One carrier witness (Mr. Walber) objected to the provision (section 1, (7)) adopting the Interstate Commerce Commission's classification as a "legal classification" of railway employments and prohibiting changes without approval of the commission, on the fanciful ground that it interfered with managerial freedom of action.

Answer I. If some fixed occupational classification is not established, a railroad management is able merely by changing an employee's title to make the claim that he can no longer be represented by his craft organization. This method of depriving an employee of the right to the representation he desires has been repeatedly used by certain railroads to evade the provisions of the present law. That is the purpose and necessity for providing that the Interstate Commerce Commission classifications shall furnish an official description of a railroad employment "for the purposes of this act."

SHORT-LINE RAILROADS

Objection J: Representatives of short-line railroads objected that the proposed bill would increase their expense of operation and made a pathetic plea against burdening their semibankrupt roads any further.

Answer J: To carry grievance disputes or wages and rules disputes to the present Labor Board costs far more than it will cost to take unsettled grievance disputes to the proposed adjustment boards or to invoke the services of the proposed board of mediation and conciliation in disputes over wages and rules. The short-line objections were simply assertions contrary to facts.

The records of previous Federal mediation and of the Labor Board show clearly that some machinery must be provided to insure adjustment of the many disputes which have threatened to interrupt service on these lines. The proposed machinery is less expensive for all parties than the present machinery and the short lines offered no evidence to prove the contrary; relying simply on unsupported assertions. As has repeatedly happened when legislation has been proposed, the short lines came forward with a plea of poverty to excite sympathy in order to pull chestnuts out of the fire for the class I railroads.

EXPENSE

Objection K: Some objections have been made, though not very vigorously, to the expense entailed by enactment of the proposed law.

Answer K: The appropriations for the Labor Board have been between \$400,000 and \$350,000 annually. This has been the *direct* cost to the Government of this unhappy experiment. In addition the Government paid, in 1922, over \$2,000,000 for expenses of the Department of Justice in connection with one strike alone—the shopmen's strike. This strike cost the public hundreds of millions of dollars. It cost the railroads in "out-of-pocket" expense *alone* over \$100,000,000. It was brought about largely through the ineffectiveness of the Labor Board, which instead of functioning as a body of public mediators attempted arbitrarily to force drastic changes in wages and working conditions. Thereby the board appeared to the employees as merely an instrument of certain railroad managements in bringing about what Federal Judge Anderson described as a "provoked strike" as a means for smashing the labor organizations. The cost of maintaining such a tribunal was Government money thrown away. If a real board of mediation had been available it is the firm belief of the proponents of the present bill that that costly strike would have never occurred.

To make effective even the machinery of the present transportation act it is generally admitted that boards of adjustment must be established. The least possible number would be the four provided in the present bill. Therefore this additional expense over the Labor Board expense is inevitable.

The board of mediation and conciliation which will be substituted for the present Labor Board will cost less than \$100,000 per year—thus between \$250,000 and \$300,000 will be saved over the cost of the present Labor Board by establishing the proposed tribunal of proved success for the present tribunal of proved failure.

The national boards of adjustment should be *Government tribunals*, in order (1) that their authority may be clearly established and (2) that they may not be abolished at the will of either party, which would be always possible if they were privately supported. It is doubtful whether Congress could constitutionally compel the railroads and their employees to maintain a prescribed machinery at their own expense. Therefore the money saved in abolishing the Labor Board should be expended upon the maintenance of these boards, for which \$400,000 annually should be sufficient. Thus by an annual expenditure of approximately \$100,000 more than at present the Government can provide a well-tested and proven machinery for settlement of labor problems in the transportation industry—an investment of public funds that will return 100 times the investment annually to the entire American people whose comfort and prosperity depends upon transportation service.

It is hardly believable that advocates of false "economy" can persuade Congress that an additional expenditure of \$100,000 per year to insure just treatment of 2,000,000 workers and the resulting continuous reliable operation of the railroads is unjustifiable.

Congress appropriates \$5,000,000 annually for the Interstate Commerce Commission—and the value and necessity of its labors would

warrant a larger amount. This expenditure is all for the purpose of requiring railroad managements to furnish adequate service at reasonable rates and without discrimination. But, as the late President A. H. Smith, of the New York Central, stated, "95 per cent of this railroading is human; the other 5 per cent is merely coal and steel, and it is not worth anything if you do not get good men with it."

One-tenth of the amount appropriated for the Interstate Commerce Commission is surely not a large sum to expend upon a machinery to insure the fair treatment of human beings who perform "95 per cent of this railroading."

It has been found necessary to establish a public machinery to compel the railroads to treat the public fairly in furnishing service and in making charges. Likewise it has been found to be necessary to establish a public machinery to compel the railroads to treat their employees fairly in fixing working conditions and rates of pay. This proposed machinery is required for the public interest as urgently as the machinery of rates and service regulation. It is opposed by selfish private interests in the railroads, just as they have always opposed every exercise of public authority to protect public interests. It is sponsored by the genuine representatives of "the overwhelming majority of the railroad employees and subordinate officials, stated by those who are in a position to speak with confidence and authority to be more than 90 per cent." (Interstate Commerce Commission Report in Ex parte 72.)

The organized railway employees bring forward a tried and successful program for industrial cooperation with the encouragement and support of governmental authority. It is submitted as the most effective measure ever presented to Congress to eliminate strikes from the American railroads. It will be absolutely effective if railroad managements cooperate, particularly because the employees will be pledged to the public and to each other to prove that their constructive program to solve labor problems in the transportation industry is in truth a program of peace.

The SPEAKER. The gentleman from Illinois [Mr. DENISON] is recognized to address the House for 15 minutes.

The SPEAKER. The gentleman from Illinois [Mr. DENISON] is recognized to address the House for 15 minutes.

Mr. DENISON. Mr. Speaker and gentlemen of the House, different ones among us approach this subject from different points of view. It happens that I see my duty from just a little different viewpoint from that of all those who have addressed you on the subject to-day. Perhaps that is the best excuse I can offer for asking to take up a few minutes of your time just now.

Mr. Speaker, I am representing here what may be properly called one of the largest labor districts in the country. My constituency contains about 50,000 bituminous coal miners and several thousand railroad workmen, as well as many other thousands of organized laborers. With very few exceptions these men are all American citizens, loyal, patriotic, striving against hard economic conditions and aspiring to own their own homes, educate their families, and improve their conditions in life.

I am interested in their welfare. It is my duty to represent them in this Chamber. I have been their consistent friend during my entire service in Congress, and I intend to remain their friend and support all legislation that will fairly benefit them and improve their conditions and that will not be injurious to others who may be affected thereby. If I could not do this conscientiously and willingly, I would no longer ask to be here to represent them.

For the past six years I have been a member of your Committee on Interstate and Foreign Commerce. That committee, I believe, is the most important strictly legislative committee of this body. Its chairman and its members are men of splendid ability and without exception devoted to the duties and traditions of the committee. In the performance of their duties no committee of the House would have worked more assiduously or more fairly to those whose interests are committed to them and with less partisanship than has the Committee on Interstate and Foreign Commerce.

I owe it both to the people I represent, whose support I must have if I remain here, as well as to the members of my committee and of the House, without whose good opinion and respect service here would be to me of little value, to state briefly my position with reference to the pending proceedings connected with the consideration of the so-called Barkley bill, or railway labor bill.

This bill was introduced on February 28 last.

On March 26 Mr. BARKLEY asked the committee for hearings. Between those dates the committee had held hearings on the Cooper bill to provide for additional boiler inspectors for the railroads, a bill in which the railroad men of the country were very deeply interested. Hearings were also held on other important bills, including the Hoch bill to provide for a general

survey of freight rates of the country. I was in favor of the consideration of each of these bills. There were pending before our committee a great number of bills known as the truth in fabric or misbranding bills. Many of these bills had been before Congress for a great many years. Some had been pending before our committee ever since I have been a member, and I know not how long before. We had been urged by the farmers of the country, and by many others interested in them, to have hearings and give the bills consideration. And I may say in that connection that the motion to discharge might well have been filed, and, I have no doubt, would have been filed to discharge our committee from consideration of those bills if we had longer delayed hearings on them and had begun consideration of the Barkley bill.

On March 26 the committee decided to hold hearings on the truth in fabric and misbranding bills. I was not present when this decision of the committee was taken. I left for my home in Illinois that day and did not participate in the proceedings which resulted in the decision to hold hearings on those bills. Had I been present I would have voted to hold hearings on the Barkley bill.

On April 15 the gentleman from Kentucky [Mr. BARKLEY] addressed the House, discussing ably and at some length the provisions of his bill, and in the course of his remarks announced that he would that day file a motion to discharge the Committee on Interstate and Foreign Commerce from further consideration of the railway labor bill. He took occasion to criticize the committee for failing to hold hearings on his bill, and in substance charged the committee with ignoring it and refusing to give it consideration. His criticism of the committee was, I think, unfair to the committee and wholly without justification, and has, I regret to say, placed the committee in a position before the House which the records and facts, if they were fully known, would not sustain. The committee took no action indicating any desire or intention to ignore the gentleman from Kentucky or the bill he had filed. There was no disposition shown, so far as I could discover, to refuse prompt hearings and consideration of that bill. There was no unusual delay in view of other important business pending before it, and such delay as there was, was due wholly, I think, to a desire on the part of the committee to give hearings on other bills that were of great importance and that had been pending before the committee not only for months but for years.

I regret that the management of this proposed legislation has been allowed to assume a political aspect. There is not the slightest justification for making such legislation a partisan matter. Legislation affecting the interests and the welfare of those employed on the railroads of the country is too vital to them and of too great importance to the country to be considered and determined from a political or a partisan point of view. And yet somebody is responsible for allowing or causing this bill to be treated as a political matter.

The gentleman from Kentucky [Mr. BARKLEY] has chosen to proceed under the new discharge rule adopted by the House early in this session and on next Monday will ask the House to discharge the committee from further consideration of the bill and to consider it in the House without hearings.

This new discharge rule is the one exclusively political rule among all those we now have that govern the proceedings in this Chamber. It was conceived and proposed for political purposes. It was adopted by an unnatural political combination of the Democratic and progressive or radical parties in the House. It will enable a minority party to begin proceedings to discharge committees from the consideration of important legislation and will authorize a combination of minority parties to take from the majority party the control of and responsibility for legislation which it ought to control and for which it ought to be responsible. It is subversive of orderly parliamentary procedure. It is revolutionary, in that it tends to and in my judgment will ultimately overthrow the committee system for considering legislation that has for more than a hundred years been recognized as a fundamental part of our legislative procedure. It will deprive the people of the right to be heard on legislation that will affect their interests and will result in the enactment of unsound, unfair, and inadequately considered legislation. I voted against the adoption of this rule, and I venture the prediction that sooner or later it will have to be modified or repealed.

Now, when those who prepared and drafted the Barkley bill were ready for its introduction they chose to make use of the two political minorities who were responsible for the adoption of the discharge rule. They asked Mr. BARKLEY, a Democrat, and Senator HOWELL, a radical or so-called progressive, to introduce the bill in the House and the Senate. And the same

combination, with a few exceptions, signed the petition to discharge the committee. I wish that this had not been done. I regret that those who are responsible for the management of this bill have chosen to make a political matter of legislation which I think is meritorious. I wish that it might have occurred to them to at least consult some Republican who is responsible here for the control of legislation, with reference to the introduction of the bill and its course through what is supposed to be a Republican Congress and up to a Republican President for his approval. But instead of doing that, the Republicans in the House were ignored; and this bill was placed in the hands of the political combination of Democrats and so-called progressives; they signed the petition to discharge the committee and have been placed on the so-called "honor roll."

Gentlemen, does anyone in this Chamber seriously think that if this bill is jammed through Congress without a fair and reasonable hearing and without proper consideration, if the committee to which it is referred is flouted, and if the Republican leadership of the House and the Senate is wholly ignored; does anyone seriously believe that the President would approve it?

I want to submit that thought to the gentleman from Alabama [Mr. HUDDLESTON] particularly, because I believe that my sympathies and his are the same in these matters. We are both alike interested in the welfare of the workmen who are employed on our railroads.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. DENISON. I will.

Mr. HUDDLESTON. Does not the gentleman think we can trust the President to approve it if it is a proper bill?

Mr. DENISON. I do.

Mr. HUDDLESTON. And if it is right for him to approve it, he will approve it?

Mr. DENISON. I think so.

Mr. HUDDLESTON. Irrespective of whether the committee would report it out or not?

Mr. DENISON. No; I do not think the President would countenance the passage of a bill of this importance through Congress in this manner and without giving those interested in it a chance to be heard.

Mr. HUDDLESTON. Does the gentleman think the President should veto a proper and right bill merely because a committee of the House did not report it out?

Mr. DENISON. The gentleman is assuming in his question that the President would find it was a proper and right bill, but I am saying this—that I do not believe the President would approve this method of passing a bill. I believe the President would think that a bill of this importance ought to be given careful consideration by the committee, after those who were both for and against it were allowed to be heard. Therefore, if the proceedings now begun are continued, I do not think he would give it his approval.

Mr. HUDDLESTON. Does not the gentleman think the House is competent to decide its own processes in passing legislation?

Mr. DENISON. I think I have explained my point, and I do not care to yield further.

Is it possible that there are those here or elsewhere who want this bill vetoed on the threshold of a national campaign with the hope of promoting the interests of some candidate for President, or possibly of injuring those of another? Should the interests of the hard-working railroad men of the country be made a political football? So far as I am concerned, I will not join in such a movement.

I do not think it is fair to the railroad workmen themselves who, of course, know nothing about our parliamentary procedure and who are themselves not directly responsible for the way the bill is handled, that it should have become tainted with partisanship. Railroad workmen have their own politics. They can not be delivered politically to any candidate or to any party. There are Members of this House who belong to both of the old political parties who are loyal to the best interests of the railroad men. We want to promote their welfare, but we must also maintain our loyalty to the political party with which we are affiliated. I am a Republican and I think the Republicans here can handle legislation for the railroad men just as well as the Democrats or Progressives can.

And so, Mr. Speaker, I regret that an attempt has been made in connection with this bill to put the Republicans here in the attitude of opposing it. It puts us in a false attitude because the railroad men of the country have no better friends than will be found among the Republicans of this House.

As to the merits of the Barkley bill, I want to say this: I was a member of the Committee on Interstate and Foreign Com-

merce when the transportation act of 1920 was under consideration. We held hearings on that important legislation which lasted from June until October, I believe. I voted against the Esch-Cummins bill because I did not approve some of its provisions. I stated in this Chamber that I did not approve the method provided for settling labor disputes. I did not believe that the Railroad Labor Board would prove satisfactory to the men or to the railroads.

My study of this question has convinced me that the most effective and most satisfactory method of adjusting differences and settling disputes with reference to grievances and wages and working conditions is to allow representatives of the men themselves and of the companies to get together and without obstruction or interference by outside parties counsel and consider and resolve their differences among themselves; and I have favored any legislation that would authorize and legalize some such method of disposing of disputes between the railroads and their employees.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes more.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for 10 additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DENISON. I have not had time to give careful study to all the provisions of the Barkley bill. It is long and more or less technical and is somewhat difficult to understand, but from what I know of it I approve in the main of the plan there proposed for settling railroad labor disputes. Therefore I want it understood that in the main I am in favor of the general plan for adjusting labor disputes that is proposed in the Barkley bill.

But it is a matter of such vital importance to the railroad laborers and the railroads themselves, it is a matter of such far-reaching importance to the entire country, that I do not believe it ought to be given merely superficial consideration. I think this bill should have been allowed to take the usual orderly course of procedure that is followed in the consideration of other important legislation.

We are not confronted by any impending emergency. The railroads and their employees are at peace. There is no impelling necessity for such precipitate haste as to make it necessary that this bill be passed without allowing anyone whose interests may be involved to appear before a committee and be heard. I think the House should carefully preserve the long-established policy of committee hearings on important legislation. The people whose interests are so vitally involved have no other effective way to petition Congress and make known their wishes and their views. Railroad men have nothing to conceal nor any reason to fear the fullest investigation of any legislation that is proposed for their benefit or relief. This legislation is too important to be considered on the floor of the House without some knowledge or information of the interests and the conditions about which we are to legislate.

There are various provisions in the Barkley bill that the Members of Congress can not understand unless they chance to be familiar with all of the delicate relations that exist between railroads and their employees and the difficult and far-reaching problems involved in a national transportation system. For instance, I have received in the last few days a number of petitions and letters from railroad men and organizations of railroad men in my district protesting against this bill and claiming they are not represented on the various adjustment boards provided for in the bill. They ask for the privilege to be heard. None of us can know how much this bill will cost the Government. A reasonable time for hearings would allow all parties interested in the legislation to be heard, estimates as to the amount it will cost the Government to be presented, and suggestions which might improve it or remove some objections to it could be offered, and the House would be enabled to consider it intelligently and in an orderly way.

I believe that if there could be hearings on this bill and if it could be carefully considered by the committee, and if perhaps objections that may be made to some of its provisions could be removed by amendment, the bill will be approved and passed by the House. But without hearings, without full information, and without careful consideration by both the committee and the House, I fear the best interests of the millions of railroad men in the country will not be considered on their merits and the bill will not pass.

I think it is unfortunate that this bill could not have been filed a year or more ago. The Railroad Labor Board has been

in existence four years. Congress could then have had ample time to consider it on its merits with no national presidential campaign imminent. I regret that it was not filed until near the 1st of March, when it was known that the committee calendars were crowded and Congress was trying to adjourn before the national conventions.

I understand that 18 months were required for the preparation and final drafting of the bill. And yet our committee was asked to consider it and dispose of it to the exclusion of all other business of the committee within a month or so after it was filed. I do not think this is quite fair to the committee or to the House or to the men whose interests are involved.

So, Mr. Speaker, while I approve of the general principles of the bill and intend to vote for it, I do not approve of the method adopted by the gentleman from Kentucky [Mr. BARKLEY] for forcing its consideration by the House without hearings and without time for its consideration by the committee to which it was referred. I do not approve of his criticism of the committee of which I am a member, nor will I by my vote become a party to the plan unfairly to put our committee in the false attitude of either obstructing or refusing to give prompt consideration to this bill. For these reasons I shall vote against discharging the committee, and I shall vote against the consideration of the bill until hearings are held. [Applause.]

Suppose the railroads, or their attorney, Mr. Thom, referred to by the gentleman from Alabama, had spent 18 months in preparing a bill for the adjustment of labor disputes from their point of view; that he had filed it and then tried to rush it through Congress without hearings, without giving the men an opportunity to be heard or the committee a chance to consider it. I am wondering how many would have walked up here to the Clerk's desk and signed a petition to discharge the committee from the consideration of such a bill. I wonder how many here would vote to take up such a bill on the floor of the House and try to put it through Congress without hearings or orderly consideration. I would vote against a bill of that kind and I would not vote to discharge the committee under such circumstances. I want to be fair with all and deal justly with both sides.

Mr. BLANTON. Will the gentleman yield for one question?

Mr. DENISON. Yes.

Mr. BLANTON. If this should be an improper bill, does the gentleman think it would be possible to frame it and amend it on the floor of the House under the rules?

Mr. DENISON. I do not concede it is an improper bill, in the first place. In the main, I think it is a good bill, but it is not possible to consider it properly on the floor of the House. Everyone familiar with our procedure here knows that. I think if a chance is given to have hearings on the bill and it is given intelligent consideration that in the main it will be found to be all right.

If the House will lay aside politics and follow the course of precedent, wisdom, and fairness, and send the bill back to the committee for further consideration, I will approve holding immediate hearings and giving the bill prompt consideration.

I appeal to the better judgment of my friends on the Democratic side of this Chamber, many of whom I know are really interested in securing the enactment of legislation that will provide a better method of settling disputes between the railroads and their employees. Let us not do or attempt to do anything here that will be futile. Let us not try to play politics with the railroad men. Let us try to pass a bill through the House that will pass the Senate and receive the President's approval. If this bill can be returned to the committee for hearings, I venture the assertion that it will be fairly considered, those whose interests are involved can be heard, the legislation will be more carefully considered, and the interests of the railroad men and of the country will be better promoted and we may then pass a law that the President will approve. [Applause.]

ADJUSTED COMPENSATION BILL

Mr. GREEN of Iowa. Mr. Speaker, I call up the conference report on H. R. 7959, the veterans' adjusted compensation bill.

The SPEAKER. The gentleman from Iowa calls up a conference report, which the Clerk will report.

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent that the statement be read instead of the report.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the statement be read instead of the report. Is there objection? [After a pause.] The Chair hears none.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7959) to provide adjusted compensation for the veterans of the World War, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, 7, 21, 34, 35, 36, 47, and 48.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 6, 8, 9, 9½, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 49, 51, 52, 53, 57, 58, 59, 60, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, and 74, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by said amendment and on page 4, line 24, of the House bill strike out "or"; and on page 5, line 9, strike out the period, insert a semicolon and the word "or"; and on page 5, after line 9, insert the following paragraph: "Any individual who was discharged or otherwise released from the draft—for the period of service terminating with such discharge or release" and a period; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "March 1, 1925" and a comma; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment which, in addition to the language stricken out by the Senate amendment, strikes out, on page 17, line 13, of the House bill, the following: "either (1)"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "(as soon as practicable after receipt of an application in accordance with the provisions of section 604, but not before March 1, 1925)"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment which restores the language of the House bill except the words "upon him for support" appearing on page 21, in lines 4 and 5 of the House bill; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "(2) The widow or widower shall be presumed to have been dependent upon the veteran upon showing by them, respectively, the marital cohabitation; the father and mother, respectively, shall submit under oath a statement of the dependency, to be filed with the application" and a period; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: On page 7 of the Senate engrossed amendments, line 8, after "veteran" insert "on or"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: On page 8 of the Senate engrossed amendments, line 4, strike out the period, insert a comma and the following: "together with the facts of record in the department upon which such above conclusions are based" and a period; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For the administration of the provisions of this act, the President may except from the operation of section 4c of the act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' ap-

proved June 3, 1916, as amended, or of any act amendatory thereof or supplemental thereto, not more than seven officers of the Army" and a period; and the Senate agree to the same.

W. R. GREEN,
W. C. HAWLEY,
ALLEN T. TREADWAY,
JNO. N. GARNER,

Managers on the part of the House.

CHARLES CURTIS,
JAMES E. WATSON,
GEO. P. McLEAN,
F. M. SIMMONS,
DAVID I. WALSH,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7959) to provide adjusted compensation for the veterans of the World War, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following amendments are clerical changes, and the House recedes: 94, 11, 13, 18, 27, 29, 32, 40, 58, 67, 68, 69.

On amendment No. 1: This amendment excludes from the term "veteran" any individual who was discharged or otherwise released from the draft. The House bill contained no such provision; and the House recedes with a clarifying amendment and inserts the amendment at the proper place in the bill.

On amendment No. 2: This amendment provides that in the case of a member of the Porto Rico Regiment of Infantry, service in the Panama Canal Zone shall be considered as overseas service. The House bill contained no provision upon this subject; and the Senate recedes.

On amendments Nos. 3, 4, 5, and 6: The House bill provided that in computing the adjusted service credit no allowance shall be made to a cadet of the Coast Guard, a Philippine Scout, a member of the Porto Rico Regiment of Infantry, and a female yeoman of the Navy or the Marine Corps, respectively. Amendment No. 3 extends the House provisions to a cadet engineer of the Coast Guard; amendments Nos. 4, 5, and 6 strike out the House provisions in the case of a Philippine Scout, a member of the Porto Rico Regiment of Infantry, and a female yeoman of the Navy or Marine Corps, respectively. The House recedes on amendments Nos. 3, 5, and 6, and the Senate recedes on amendment No. 4. The result of this action is to give the benefits of the act to members of the Porto Rico Regiment of Infantry and female yeoman, and to exclude cadet engineers of the Coast Guard and Philippine Scouts.

On amendment No. 7: The House bill provided that in computing the adjusted-service credit no allowance shall be made to any member of the Public Health Service—for any period during which he was not detailed for duty with the Army and Navy. The Senate amendment excluded any member of the Public Health Service, irrespective of whether he was detailed for duty with the Army or Navy; and the Senate recedes.

On amendment No. 8: This amendment is a change in a sub-heading; and the House recedes.

On amendment No. 9: This amendment strikes out surplus language of the House bill and inserts "(hereinafter referred to as the 'director') where the first reference is made to the Director of the United States Veterans' Bureau; and the House recedes.

On amendment No. 10: This amendment strikes out surplus language; and the House recedes.

On amendment No. 12: This amendment requires the Secretary of War or the Secretary of the Navy to transmit the facts of record in his department upon which his conclusions in respect of the application of a veteran are based. The House bill contained no such provision; and the House recedes.

On amendments Nos. 14, 15, 16, 17, and 19: The House bill provided three agencies, namely, the Secretary of War, the Secretary of the Navy, and the Director of the United States Veterans' Bureau, to administer the act and pay the benefits provided in the bill. The Senate amendments to the bill make the Director of the United States Veterans' Bureau the agency through whom the benefits are to be paid, and confine, as far as possible, the general administration of the act to the director. The foregoing amendments relating to publicity are necessary in carrying out this policy; and the House recedes.

On amendment No. 20: The House bill provided for publicity to inform veterans of their rights under the act. The Senate

amendment extends this publicity to dependents; and the House recedes.

On amendment No. 21: The House bill provided that the findings of the Secretary of War and the Secretary of the Navy as to the number of days of service in the military and naval forces of the veteran shall not be subject to review by the General Accounting Office. The Senate amendment strikes this provision from the bill; and the Senate recedes.

On amendments Nos. 22, 25, 28, 30, 31, 59, 60, 64, and 65: These amendments conform with the action of the conferees as explained in amendment No. 14; and the House recedes.

On amendments Nos. 23 and 66: The House bill exempted from attachment and taxation sums payable to veterans and to dependents of veterans under sections 308 and 607, respectively. The Senate amendments combine these provisions; and the House recedes.

On amendments Nos. 24 and 63: The House bill provided penalties for the collection of unlawful fees from veterans under section 309 and similar penalties in the case of dependents under section 605. The Senate amendments combine these provisions; and the House recedes.

On amendment No. 26: The House bill provided that payment, in the case of those entitled to cash, should be made as soon as practicable, but not before the expiration of nine months after the enactment of the act. The Senate amendment makes July 1, 1925, the date upon which such payments should begin; and the House recedes with an amendment changing the date to March 1, 1925.

On amendment No. 33: This amendment eliminates fractional parts of a dollar from the face value of the adjusted service certificate; and the House recedes.

On amendments Nos. 34, 35, and 36: The House bill provided that the adjusted service certificates shall be dated on the first day of the month in which the application is filed, but in no case before January 1, 1925. The Senate amendments made the date July 1, 1925; and the Senate recedes on these amendments.

On amendments Nos. 37 and 41: The House bill provided that the rate of interest charged upon a loan by the bank shall not exceed by more than 2 per cent the rate charged at the date of the loan for the discount of commercial paper, under section 13 of the Federal reserve act by the Federal reserve bank for the Federal reserve district in which the bank is located. The Senate amendment, for the purpose of definiteness, provides that the rate for 90-day commercial paper is the one to be followed in reckoning the interest rate; and the House recedes on both amendments.

On amendment No. 38: The House bill provided that upon the indorsement of any bank and subject to regulations to be prescribed by the Federal Reserve Board, any such note secured by a certificate and held by a bank shall be eligible for discount or rediscount by the Federal reserve bank for the Federal reserve district in which the bank is located. The Senate amendment provides that the indorsement shall be deemed a waiver of demand, notice, and protest by such bank as to its own indorsement exclusively; and the House recedes.

On amendment No. 39: This amendment makes a clerical change for purposes of clarity; and the House recedes.

On amendment No. 42: The House bill provided that any such note secured by a certificate may be offered as collateral security for the issuance of Federal reserve notes under the provisions of section 16 of the Federal reserve act. The Senate amendment strikes out this provision; and the House recedes.

On amendment No. 43: The House bill authorized the Federal Reserve Board to permit a Federal reserve bank to rediscount, for any other Federal reserve bank, notes secured by a certificate. The Senate amendment broadens this provision so as to require member banks to rediscount the notes on the affirmative vote of at least five members of the Federal Reserve Board; and the House recedes.

On amendments Nos. 44, 45, and 46: These amendments are clerical changes for the purpose of clarity; and the House recedes.

On amendments Nos. 47 and 48: Subdivision (c) of section 502 of the House bill provided that the notes of the veteran during the time they are held by the director shall pay interest at the rate of 6 per cent, compounded annually, in order to insure the redemption of the notes upon maturity. Subdivision (d) made provision for the redemption of the notes in the event of the death or failure of the veteran to redeem same before the certificate matures, applying the same rule in respect of interest. The Senate amendments strike out the compound-interest requirement; and the Senate recedes on both amendments.

On amendment No. 49: This amendment is a clerical change for the purpose of clarity; and the House recedes.

On amendment No. 50: The House bill provided that the loan basis of any certificate shall be an amount which is not in excess of either (1) 90 per cent of the reserve value of the certificate on the last day of the current certificate year, or (2) 60 per cent of the face value of the certificate. The Senate amendment strikes out the 60 per cent limitation; and the House recedes with an amendment making a clerical change.

On amendment No. 51: This amendment is a clerical change for the purpose of clarity; and the House recedes.

On amendment No. 52: This amendment inserts a subheading; and the House recedes.

On amendment No. 53: The House bill provided that if the United States has not made or is not obligated to make any payments to any person on account of the death of a veteran (either as compensation under the war risk insurance act, or as insurance under such act), the dependents of the veterans should be entitled to the benefits of the bill. The Senate amendment removes this limitation; and the House recedes.

On amendment No. 54: The House bill provided for the payment of the adjusted service credit to the dependent of a veteran in the event of his death in an order or preference named in the bill without stating the time for payment. The Senate amendment provides that payment shall be made as soon as practicable after receipt of an application, but not before the expiration of nine months after the enactment of this act; and the House recedes with an amendment providing that payment shall not be made before March 1, 1925.

On amendment No. 55: The House bill provided that no payment shall be made to any individual under Title VI unless at the time of the death of the veteran such individual was dependent upon him for support. The Senate amendment struck out this provision; and the House recedes with an amendment reinstating the language of the House bill with the exception of the words "upon him for support."

On amendment No. 56: The House bill provided that the widow, widower, father, or mother of the veteran shall be presumed to have been dependent upon him at the time of his death upon filing an affidavit to that effect with the application. The Senate amendment presumed dependency in the case of a widow or widower upon showing marital cohabitation, and required the father or mother to submit a statement under oath of the facts of the dependency, together with the affidavit of one or more disinterested persons having knowledge thereof. The House recedes with an amendment which presumes the father or mother to be dependent upon submitting a statement under oath with the application.

On amendment No. 57: This amendment inserts a subheading; and the House recedes.

On amendment No. 61: The House bill provided that an application by the dependent shall be made on or before January 1, 1928, and if not made on or before such date shall be held void. The Senate amendment broadens this provision so as to allow the dependent six months to file application after the death of the veteran if he had failed to make application six months prior to the date fixed; and the House recedes with an amendment making a clerical change.

On amendment No. 62: The House bill provided for the transmittal of the application from the Secretary of War or the Secretary of the Navy to the director in the case of a veteran, but made no such provision in the case of a dependent. The Senate amendment inserts a new section to take care of the dependent; and the House recedes with an amendment adding additional language to make the provisions uniform in each case.

On amendments Nos. 70 and 71: The House bill provided that, with the exception of such special experts may be found necessary for the conduct of the work, the appointments made under this act shall be subject to the civil service laws, but for the purposes of carrying out the provisions of section 305 such appointments may be made without regard to such laws, until the services of persons duly qualified under such laws are available. The Senate amendments confine the appointments to those entitled under the civil service laws; and the House recedes.

Amendment No. 72: The Senate amendment provides that the Senate may except not more than seven officers of the Army from the provisions of the national defense act, as amended, with reference to detail with troops, for the purpose of carrying out the administrative provisions of this act; and the House recedes with an amendment making a clerical change.

On amendments 73 and 74: These amendments strike out surplus language; and the House recedes.

W. R. GREEN,
W. C. HAWLEY,
JNO. N. GARNER,
ALLEN T. TREADWAY,

Managers on the part of the House.

Mr. GREEN of Iowa. Mr. Speaker, I notice a misprint in the statement with reference to the very last amendment, No. 72. It states that—

The Senate amendment provides that the Senate may except not more than seven officers of the Army from the provisions of the national defense act—

And so forth.

That is giving more credit to the Senate than should be given. It should be "President" instead of "Senate." It is correctly printed in the bill.

Mr. McKENZIE. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. McKENZIE. I desire to call attention to amendment No. 6 on page 4 of the bill. The House bill provided that "Indian scout, female yeomen of the Navy, or female marine of the Marine Corps" should be excluded from the benefits of this law. I desire to ask the chairman of the conference committee whether the force of the Senate amendment is that these particular yeomenettes shall be included in the bonus.

Mr. GREEN of Iowa. Yes; that is the effect of the amendment. The reason why my colleagues on the conference were persuaded to agree to that was because, under the provisions of the bill as agreed to by both Houses, which we could not change, there were yeomen of the Navy in exactly the same situation as these women who would receive the benefits of the bonus.

Mr. McKENZIE. Will the gentleman yield me two minutes?

Mr. GREEN of Iowa. Later on; yes.

Mr. McKENZIE. Right on this point.

Mr. GREEN of Iowa. Right now?

Mr. McKENZIE. Yes; while we are discussing this matter.

Mr. BLANTON. Will the gentleman from Iowa yield for a question before the gentleman from Illinois commences his discussion?

Mr. GREEN of Iowa. I will yield to the gentleman from Illinois later.

Mr. BLANTON. Will the gentleman yield to me?

Mr. GREEN of Iowa. Yes.

Mr. BLANTON. The gentleman spoke of not wanting to give too much credit to another body. I notice 74 amendments by another body, and yet the gentlemen whom we sent to conference receded as to 57 amendments.

Mr. GREEN of Iowa. It is quite true we receded on the greater number of amendments, but it is also true that the Senate receded on the really important amendments.

Mr. GARNER of Texas. Out of 57 amendments there are 47 clerical amendments.

Mr. GREEN of Iowa. Yes; that is true; they are simply slight changes in the wording, the combination of sections, the insertion of new headings, or something of that kind, which amounts to nothing whatever.

Mr. BLANTON. I was not criticizing the gentleman, because I was in a conference not long ago where we had to recede on 67 amendments in order to get an agreement.

Mr. CHINDBLOM. Will the gentleman from Iowa yield?

Mr. GREEN of Iowa. I will yield to the gentleman from Illinois.

Mr. CHINDBLOM. It is a fact, is it not, that a large number of these clerical amendments, as to which the House receded, were due to the change made by the Senate placing the administration of this measure more in the hands of the Director of the Veterans' Bureau than in the officers of the Army and Navy?

Mr. GREEN of Iowa. The gentleman is quite right as to that. I trust I will not infringe on the rules of the House or cause any astonishment or heart failure on the part of any of the Members when I say that when the Senate inserted the provision which put all of the administration of this act under the Veterans' Bureau the conferees on the part of the House, upon examining it, at once came to the conclusion that it was really a good amendment, and agreed to it.

Mr. WINGO. I notice on page 6 of the statement just read, amendment 43, you state that the Senate amendment broadens this provision so as to require member banks to rediscount the

notes on the affirmative vote of at least five members of the Federal Reserve Board; that is an error, is it not?

Mr. GREEN of Iowa. An error in what way? The original provision as carried in the House bill simply provided that these notes might be discounted. The Senate inserted a provision, to which we agreed, which authorized on the affirmative vote of at least five members of the Federal Board that the bank be directed to rediscount them.

Mr. WINGO. The gentleman does not catch the point. The statement is that the Federal Reserve Board can control a member bank, when you mean a Federal reserve bank. Your statement is in error, but your bill is all right.

Mr. GREEN of Iowa. I think the gentleman, speaking technically, is correct.

Mr. WINGO. No; I did not want that impression to go out, because we have proposals asking us to permit the Federal reserve bank to require a member bank—that is, the initial bank down in the home town—to make a loan; and, of course, I know the gentleman would not want to say that you can make a bank in his home town, through a bureau here in Washington, pass on whether or not they should make such a loan. Clearly, it should be the Federal reserve bank.

Mr. HAWLEY. That is the language in the act.

Mr. WINGO. As I understand, the conferees have agreed also on a proposition which will prevent a loan, which has one of these certificates as security, ever being the basis of a Federal reserve note issue.

Mr. GREEN of Iowa. The gentleman is correct. That is one of the Senate amendments to which the conferees have agreed.

Mr. WINGO. So there can be nothing to the cry that the provisions will mean a possible inflation of the Federal reserve note issue based upon a nonliquid asset.

Mr. GREEN of Iowa. The gentleman is correct. The House conferees considered, as a practical matter, owing to the abundance of funds on hand, that that provision was not needed at all, and there were objections to it as a matter of financial policy.

Mr. WINGO. If the gentleman will permit, those who make the demagogic statement that we are discriminating against this class of paper are either ignorant or not acquainted with the facts. The truth of the business is there is a great deal of paper that is just as prime as this that it was never contemplated should be the basis of a note issue, and it will not be necessary to have that privilege for this class of notes in order for the soldier boys to get every privilege intended under the law, because a member bank that has this note of the soldier, if it finds it needs additional funds, certainly has plenty of prime commercial paper that is a liquid asset that it can take up and rediscount and get Federal reserve notes, even for the purpose of making loans to the soldiers. So there is no necessity for the full benefit of this act to give to this class of paper a note issue basis.

Mr. GREEN of Iowa. That is the view that the House conferees took of the matter.

There are just three important amendments, or perhaps only two, of very great importance. One amendment I might mention, however, that the Senate made to which the House agreed, provided that the dependents of soldiers who were killed in the war should receive the benefits of the bill. On that the House receded. It will to a considerable extent increase the amount of cash payments; that is, the payments in 10 quarterly divisions.

The other two amendments which are important are as follows: The first related to the time in which the act should go into effect. The Senate bill provided that the cash payments should not be made until July 1 of next year, 1925, and also that the certificates should not be issued until that time. The Senate conferees receded on that point and the date of the cash payment is now fixed at March 1, which is believed to be as soon as the officers can get ready to make them, and the date when the certificates shall be issued is January 1. The point is to have this matter finally settled in the bill.

The other important matter related to the allowance of compound interest upon the notes of the veterans that were taken up by the Veterans' Bureau after being held by the bank six months. The conferees of the House believed this to be a very important provision in order that these notes might be a proper investment for the sinking fund, and also as the veterans were allowed compound interest in computing the amount of insurance it was thought proper that compound inter-

est should be allowed the Government on these notes, and the Senate receded on that.

There was one other amendment we had a little difficulty about, and that was as to whether the accounting office should have the right to review the decisions of the Secretary of War and the Secretary of the Navy as to the amount and extent of the service of the veterans, and, consequently, determine the amount of the insurance policy or the amount of the cash payment, as the case might be. The House bill originally carried a provision that this decision of the Secretary of War or the Secretary of the Navy was not subject to review by the accounting office. The Senate struck that out, and we were not able to agree upon it on the first day. Afterwards the clerk of the committee called my attention to the fact that the provisions in the House bill were copied from the former bill; that it had not been in the former bill when it was first passed by the House, but was put in at the insistence of the Senate conferees. In other words, the Senate was now insisting on a matter when heretofore they had insisted exactly to the contrary. When that was discovered we did not have very much difficulty in agreeing on that point.

Mr. STEPHENS. How did you agree?

Mr. GREEN of Iowa. The Senate receded.

Mr. GRAHAM of Illinois. I observe in the conference report that the female yeomen are now given the benefit of this act. Also, on page 22 of the bill, amendment 56, it seems that a rule applicable to them is introduced providing that the widower of such a female yeoman entitled to the benefit under this act would be presumed to have been a dependent. Is that what the committee has decided?

Mr. GREEN of Iowa. That was a provision in the Senate bill which we regarded of no importance, as we are not aware that there are any in such position. This would apply only, if the gentleman will remember, to such of the female yeomen as died during the war. They were not on the battle field and not in any place of very great danger.

Mr. GRAHAM of Illinois. Then why put in the provision for the widower?

Mr. GREEN of Iowa. That is a general provision, and relates to all dependents. It was necessary in the original House bill.

Mr. GRAHAM of Illinois. What other females were there?

Mr. GREEN of Iowa. Army nurses and others.

Mr. GRAHAM of Illinois. The committee agreed to establish the principle that the husband should be deemed their dependent. That is surely equalizing rights.

Mr. GARNER of Texas. In the first place, the yeomanettes ought never to have been in here. The gentleman knows that the field clerks get more money, and when we came to argue it we had to yield—

Mr. GRAHAM of Illinois. Can the gentleman state how much this is going to cost?

Mr. GARNER of Texas. A small sum. Does the gentleman regard this as a debt owed by the Government, or is it a gratuity?

Mr. GRAHAM of Illinois. I do not believe I care to go on record as to that. [Laughter.]

Mr. GARNER of Texas. If it is a debt, the widower is as much entitled to it as the beneficiary.

Mr. GRAHAM of Illinois. I do not like to establish the principle that a man is wholly dependent on a woman.

Mr. GREEN of Iowa. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. McKENZIE].

Mr. McKENZIE. Mr. Speaker and gentlemen of the House, as one of the men in this House who has stood consistently from the beginning for granting adjusted compensation to the veterans of the World War, I rise to express my protest against amendment No. 6, put into the bill by the Senate and agreed to by the conferees on the part of the House. War has demonstrated that certain people benefit from it, while others make sacrifices. The soldiers of our country, in my judgment, made great sacrifices, and the sole purpose of this legislation is to recompense through adjusted compensation what the Government owed to these soldiers of our Army who sacrificed, while, on the other hand, the yeomanettes and the marinettes, with all due respect to their character, received more compensation as a general rule than they ever received in their lives before. Consequently they did not suffer in reduction of pay.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. GREEN of Iowa. We made further examination into that matter, and the reports from the War and the Navy De-

partments in many cases showed that they received less pay than they had received before.

Mr. McKENZIE. It may be that some of them did, but most of them received more pay than they ever received before, and in addition obtained allowances for their families living in Washington, Philadelphia, and elsewhere. I have tried to be consistent. I have opposed the payment of adjusted compensation to yeomanettes and marinettes from its inception. It is wrong to impose upon the taxpayers of this country the payment of the bonus to people who received more through the war than they ever received before, and I say here to-day that as an advocate of the bonus I can see only one purpose that this amendment can serve, and that is to give the President of the United States a just ground on which to veto the bill. I have hoped for this legislation. I have hoped that he would sign it, but the man who succeeded in getting this amendment into this bill has laid a foundation that is solid for the President to stand upon in exercising the veto power. When I think of the soldiers serving for \$30 a month and think of these people getting from \$900 up a year as yeomanettes here in Washington, receiving more in the first instance, Mr. Speaker, than many of the soldiers will receive when their compensation is adjusted, I feel that the term "adjusted compensation" means but little, and I must therefore conclude, that it is nothing more or less than a further scheme to hold up the people of this country in that one particular, when we are sincerely trying to do something for the soldiers of this country.

Mr. GREEN of Iowa. Mr. Speaker, I yield to the gentleman from Texas [Mr. GARNER].

Mr. GARNER of Texas. Mr. Speaker, let me say in reply to the gentleman from Illinois [Mr. McKENZIE], as I stated a moment ago, I do not think the yeomanettes ought to be in this bill; but there is a greater defense for putting the yeomanettes in than there was for putting the field clerks in, a good portion of whom came from the offices about this Capitol, and I think that is one reason why they are included in the bill. I do not believe you can defend the proposition of including within the provisions of this bill a young man who went to France and who did not have an opportunity to be killed. He got more money as a field clerk than he was getting here in Washington. The gentleman himself [Mr. McKENZIE] put the field clerks in this bill, and I think he is somewhat estopped from making the statement as to the hold-up which he claims to exist on account of including the yeomanettes.

I want to say one word about another amendment that is of more importance than all of the other amendments we have considered. The Senate struck out the provision in the House bill that interest at the rate of 6 per cent per annum, compounded annually, should be charged on notes given by a veteran to secure a loan made by a bank. The Senate receded from that amendment. If the amendment had remained in the bill, it would have cost us two or three hundred million dollars more for this legislation, in my judgment, because the soldier would have gotten his loan at the end of 3 years and carried it for 17 years, and by the time we got to the seventeenth year he would be paying about 2½ per cent.

Mr. MORTON D. HULL. Mr. Speaker, I rise to ask a question of the gentleman from Iowa. There are to be included within the bill now dependents of those who were killed or who died of disease in the war?

Mr. GREEN of Iowa. Yes.

Mr. MORTON D. HULL. What will be the additional financial requirement to meet that item?

Mr. GREEN of Iowa. I can only make a guess as to the additional amount, and, in fact, nobody knows anything more than they could guess, because in the first place we have no idea what proportion of these men have dependents, but we do know, of course, that the most of them were not married. Probably not more than 20 per cent of them were married, and there would be only a small proportion who would have dependents. We can not tell how much service they had, and there is no way of figuring it at this time. There is nothing in the records of the department to tell how much service they had.

My guess would be it might take perhaps \$30,000,000, which divided by 10—

Mr. GARNER of Texas. The better estimate would be one-fourth of 45, which would be from ten to fifteen million dollars.

Mr. GREEN of Iowa. Somewhere along there; it is nothing but a guess. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

CHILD-LABOR CONSTITUTIONAL AMENDMENT

Mr. BRAND of Georgia. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Georgia asks unanimous consent to proceed for five minutes. Is there objection?

Mr. BEGG. Mr. Speaker, on what subject?

Mr. BRAND of Georgia. Well, it is not a political subject. It is an explanation of my vote on the child-labor amendment. I spoke to Mr. LONGWORTH in regard to it and he made no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BRAND of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. BRAND of Georgia. Mr. Speaker, in the first one of the Letters of Junius the author says:

The ruin or prosperity of a State depends so much upon the administration of its government that, to be acquainted with the merit of a ministry, we need only observe the condition of the people. If we see them obedient to the laws, prosperous in their industry, united at home, and respected abroad, we may reasonably presume that their affairs are conducted by men of experience, ability, and virtue. If, on the contrary, we see a universal spirit of distrust and dissatisfaction, a rapid decay of trade, dissensions in all parts of the empire, we may pronounce without hesitation that the government of that country is weak, distracted, and corrupt.

The letter from which this excerpt is quoted was written 155 years ago, and yet it announces an axiom which was true then and is true now.

I am strongly against the pending resolution because I am firmly convinced if ratified into law it will create in my district and State—and I believe in all the agricultural States—a spirit of distrust and dissatisfaction; that it will disturb the peaceful relations, the happiness and well-being of the agricultural classes, and reduce to involuntary servitude the children of the working people and the poor people of both races and both sexes. [Applause.]

I am not against child-labor laws, but heartily in favor of State laws which have been enacted and which may hereafter be enacted having in view the welfare of children. Sincerely entertaining this view in regard to the protection of children against improper employment and service, and yet, being intensely opposed to this resolution, I feel it my duty in justice to myself and my constituents to explain the reasons why I am opposed to this resolution.

The Georgia law upon this subject is satisfactory to the people of my district and State. At least, I have never heard anything to the contrary. The Georgia law provides that no child under the age of 14 years shall be employed by or permitted to work in or about any mill, factory, laundry, manufacturing establishment, or place of amusement, except that children over 12 years of age who have widowed mothers dependent upon them for support or orphan children over 12 years of age dependent upon their own labor for support may work in factories and manufactories.

The Georgia law further provides that no child under 14 years and 6 months of age shall be permitted to work in or about any of the establishments mentioned between the hours of 7 p. m. and 6 a. m.

Statistics show that the Georgia law as to the prohibitive age is in consonance with practically all the States of the Union, 46 of the 48 having adopted laws regulating child labor, 42 of which puts the maximum age at 14, 5 at 15, and 1 at 16.

The pending resolution provides:

The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

I concede to Members of Congress supporting this resolution and to all of the good women who have sponsored the movement good faith and honesty of conviction in their support of the proposition that Congress should be given the right to regulate, control, and prohibit the labor of children under 18 years of age, yet if Congress is thus empowered it remains for the

future to decree whether our children shall remain free or be reduced to servile employment.

I believe in the States controlling this question without interference on the part of the Federal Government. If a State desires to increase the age limit of children, this is its privilege and is no concern of Congress or the Federal Government. I resent this resolution because it is a deliberate attempt to impair the rights of the States. I am opposed to parents being forced to take orders from Washington and the Federal Government or being dictated to by Federal agents in regard to the services and custody of their minor children. I do not believe that there is a single family in my district whose parents would be willing to yield their rights to the control of their sons and daughters under 18 years of age to the Federal Government and its Federal agents.

Neither do I believe that the framers of the Constitution of the United States ever contemplated that the parents of this country, so far as the control of the labor of their children under 18 years of age is concerned, should ever be required to yield to Federal authority this God-given privilege or that this right of the people should ever be diminished, impaired, or controlled from Washington.

I am unalterably and eternally opposed to the enactment of any law which authorizes the Federal Government to send its agents and officers into the homes of the people when no law is being violated to dictate to the fathers and mothers of the Nation whether their children should work, when they should work, where and for whom they should work, and what character of work they should perform. This is none of the Government's business so long as the child-labor laws of the State are wise and just to minors and are being obeyed.

I have an intense fear for the liberty of the home, the freedom of its inmates, and the rights of the parents if this resolution becomes a part of the Constitution of this country. I am opposed to its adoption because it is against the spirit of the Constitution of this country; it destroys one of the fundamental rights of the States; it will work a hardship upon both races of our people, black and white alike; it substantially destroys the rights of the parents of the control of their children; it seriously impairs the rights and liberties of the children themselves; and because control of the children will be directed from a bureau in Washington by a Federal agency, hundreds of miles from the homes of the people, by persons who are rank strangers, and not only unsympathetic with the people but likely to be autocratic in the exercise of their power.

The children whose parents consent for them to receive the proceeds of their own labor will probably lose this privilege by the absorption of it on the part of the Federal Government. This proposition to control children under 18 applies not only to both the white and colored races but to both sexes, boys and girls alike, and implies loss of custody of their persons by the parents and assumption thereof by the Government, which, to my mind, is one of the vulnerable phases of this legislation.

It will create anxiety, mental anguish, and suffering on the part of the mothers and fathers of children.

I am afraid if enforced strictly, as it will likely be, the law will be disobeyed, conflicts between the citizens and Federal agents will ensue, and the Federal courts will be filled with indictments. It will upset the labor conditions in my State, and I believe in all the cotton-growing States, among the laboring people of both races. More than any other section of our country this legislation will more injuriously affect the agricultural sections of the South. It will substantially cripple, if not destroy, the labor conditions of my district and State by driving the boys of both races from the farms and the homes of the cotton growers.

It will likely bring about an era of idleness on the part of boys under 18 years of age of both races, particularly of the colored people; and if so, it may result in Congress having to establish a new bureau, which will carry with it the creation of thousands of new jobs and untold expenses to the taxpayer and to pass new laws carrying millions of appropriations annually to take care of the idle and unemployed.

Members of Congress supporting this resolution showed what was in their minds and how they felt toward the people of the agricultural sections when they voted down an amendment offered to confine the age limit to 16, and likewise did so when they voted down an amendment providing that Congress should pass no law controlling the labor of any minor in the home and on the farms of the parents or on the premises or farms where they reside.

I never did believe until I witnessed it that there would be a single Member of Congress to vote for a proposition to take

away from the girls and boys of this country under the age of 18 years the right to work in their own homes for their own parents and in the places of business and the farms of their fathers, and yet this is exactly what happened. I shall never believe that any father of my district and State would ever consent to the exercise of such tyrannical authority. I do not believe there is a mother of my district or State who would look upon such a proposition with the slightest degree of patience and sympathy; but, on the contrary, would abhor such a suggestion. I can not for the life of me see how any Member of Congress, who has any compassion for the working people or pity for the poor, can get his consent to support such a monstrous proposition. [Applause.]

Thomas Paine, in his *Rights of Man*, speaking of the duty of man, says "the duty of man is not a wilderness of turnpike gates, through which he has to pass by ticket from one point to the other. It is plain and simple, and consists of but two points. His duty to God, which every man must feel; and with respect to his neighbor, to do as he would be done by." This is another way of expressing the immortal doctrine of the Golden Rule, first put forth on the plains of Palestine over 20 centuries ago. I hold that this doctrine applies to me as a Member of Congress as well as a man. This has been my creed during my whole public career. I have done my best to keep the faith. [Applause.]

REORGANIZATION OF FOREIGN SERVICE

Mr. LOZIER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the Rogers Diplomatic and Consular measure.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. LOZIER. Mr. Speaker, availing myself of leave granted to extend my remarks in the Record, I regret that I can not at this time consistently vote for the pending bill (H. R. 6357), which provides for a reorganization of our foreign consular and diplomatic service. I concede that such a reorganization as this bill proposes is needed, and under different circumstances would be entirely justified. But in governmental matters we can not always reorganize bureaus, commissions, and departments, even when such reorganization would promote greater efficiency, because we must always consider the cost of such reorganization and determine whether or not conditions justify us in incurring such additional expense. This measure increases the salary list at a time when the business affairs of the Nation are far from satisfactory. Existing economic conditions suggest strict economy and retrenchment in governmental expenses.

The committee reports that this bill will increase the cost of our Diplomatic and Consular Service \$495,500. If the post allowances are abolished this amount will be reduced to \$345,500, but in any event this bill, if enacted, will probably increase the annual expense of our foreign service approximately one-half million dollars. In prosperous times this increase might probably be justified, but in view of the nation-wide demand for reduction of taxation and economy in public expenses, it seems to me that this is not an opportune time to add a third or a half million dollars to the Budget of our national expense. By adopting this bill we add to the tax burden, postpone or limit tax reduction, and establish a salary basis that will never be reduced, but which will probably be increased from year to year.

Why not postpone this reorganization and increase of salaries until economic conditions have improved? Why not wait until the farmers get out of their present financial predicament? The reasons urged for the reorganization of our foreign service are persuasive but not entirely convincing. Conditions will not permit us to reorganize every department of our Government when such reorganization may be considered advisable. Under present conditions we must not enter upon a general salary-raising policy. Every department of our Government is clamoring for an increase in salary allowance. Every bureau or commission argues that it could function more efficiently if given more employees at higher salaries. There must be an end to this policy of multiplying the number of employees and increasing salaries.

Why not try to get along with our foreign service as now constituted until the country becomes prosperous and business conditions justify increasing the personnel and salaries in our Consular and Diplomatic Service? Moreover, unless this Government makes an earnest and aggressive effort to enlarge our world markets for our farm commodities, I see no occasion for spending any more money on our Consular Service than is now being expended for that purpose. We maintain this Consular Service, in theory at least, to supervise and extend

our markets and to aid our citizens in their commercial operations in foreign lands.

I have neglected no opportunity to bring this Congress to a realization of the importance of finding new markets for our farm products. We must enlarge and extend our markets for our farm commodities. The prosperity and economic well-being of our agricultural classes depend very largely upon our ability to introduce our agricultural products into new world markets. In the past our manufacturers have very largely benefited from the activities of our consular officers.

Too little attention has been given to agricultural commodities. From some quarters comes the suggestion that we should now abandon our export markets for some of our chief agricultural products. If this suicidal policy is to be adopted and forced on the farmers of this Nation, I see no reason why we should enlarge or improve our Consular Service. If the farm commodities are to be denied access to the world markets, and if our consular officers are to give their time primarily to promote the sale of manufactured commodities, then I shall oppose any reorganization of the service and all increases in the salaries of consular and diplomatic officers. But if the American consuls will spend as much of their time in creating new markets for our farm commodities as they spend in creating new markets for our manufactured products, then I will favor any reasonable plan of reorganization which will promote the efficiency of the service.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8839, the District of Columbia appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8839, the District of Columbia appropriation bill, with Mr. GRAHAM of Illinois in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8839, the District of Columbia appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CENTRAL GARAGE

For personal services in accordance with the classification act of 1923, \$4,260.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. Why is it necessary to raise the municipal garage from \$3,500 to \$4,260?

Mr. DAVIS of Minnesota. The increase under the reclassification act.

Mr. BLANTON. How many employees are in this central garage?

Mr. DAVIS of Minnesota. Three.

Mr. BLANTON. How many garages are maintained here for the District of Columbia?

Mr. DAVIS of Minnesota. One central garage; that is all.

Mr. BLANTON. How many cars stay in there?

Mr. DAVIS of Minnesota. Well, I can not tell the gentleman, but quite a number.

Mr. BLANTON. There is nothing in the item except reclassification increases for three men?

Mr. DAVIS of Minnesota. Not a thing.

Mr. BLANTON. I withdraw the pro forma amendment.

The Clerk read as follows:

All apportionments of appropriations made for the use of the municipal architect in payment for the services of draftsmen, assistant engineers, clerks, copyists, and inspectors, employed on construction work provided for by said appropriations, shall be based on an amount not exceeding 2½ per cent of the amount of the appropriation made for each project.

Mr. BLANTON. Mr. Chairman, I make the point of order against the entire paragraph, beginning on page 6, line 24, and ending on page 7, line 5, as being new legislation on an appropriation bill unauthorized by law and not carried in preceding bills.

Mr. CRAMTON. Mr. Chairman, the language amounts to an allotment of money, not legislation. It says—

All apportionments of appropriations made for the use of the municipal architect in payment for the services of draftsmen, assistant engineers, clerks, copyists, and inspectors, employed on construction work provided for by said appropriations, shall be based on amounts not exceeding 2½ per cent of the amount of the appropriation made for each project.

It is an allotment amounting to a limitation. That is, the amount out of any appropriation for building purposes that shall be available for the services of the architect's office shall not exceed 2½ per cent of the appropriation.

Mr. BLANTON. Why, it is not a limitation, Mr. Chairman.

Mr. CRAMTON. Without this language it might amount to 5 per cent. Of course, it never would; but it would be discretionary, and this language cuts it down to 2½ per cent.

Mr. BLANTON. It is clearly legislation; it has not been carried in any previous appropriation bill.

Mr. DAVIS of Minnesota. I will state it is really cut down almost in two. Heretofore they were paying a great deal larger sum.

Mr. BLANTON. They ought to cut it out entirely.

The CHAIRMAN. The Chair is inclined to think this is legislation.

Mr. CRAMTON. Let me make this illustration of just how this operates: I recall a year ago we made an appropriation of \$35,000 for a nurses' home. After that appropriation was made the District authorities had the right to use any part of that which was necessary in the preparation of plans for that building. The municipal architect's office has a limited number of employees, but so far as their services are available they take care of the plans.

It is the custom for the municipal architect—that has been the case very largely in the case of municipal buildings—when the work is more than his limited funds can take care of, to hire per diem employees, draftsmen, and so forth, and they are engaged, and they work upon these plans; and without this language any part of any appropriation in this bill for new construction could be used without limit in the preparation of plans. There are some school buildings provided for here, and without this language there would be no limit upon the proportion of the appropriations that may be used for the preparation of plans. This language, if it stays in the bill, is a limitation. We could very well say, each time there is an appropriation for a new building, "Not more than 2½ per cent of this appropriation shall be used in the preparation of plans." That would clearly be a limitation. But instead of including that limitation in connection with each appropriation for construction, there is this general language employed here. But it still remains a limitation, just as it would be otherwise.

Mr. BEGG. Does not the gentleman think, when we are spending \$35,000 for architects, that a better plan would be to hire them on a salary instead of on a commission?

Mr. CRAMTON. That is a question of policy, entirely apart from this question of whether a certain percentage should be used in the preparation of plans. I have had that matter up with the municipal architect. Something should be done to avoid the delay that now exists. In the particular case I refer to, the Nurses' Home, it was over a year after the appropriation was made that the plans were produced. But that has nothing to do with the point of order.

The CHAIRMAN. The Chair is ready to rule. This language is general:

All apportionments of appropriations made for the use of the municipal architect in payment for the services of draftsmen, assistant engineers, clerks, copyists, and inspectors, employed on construction provided for by said appropriations, shall be based on an amount not exceeding 2½ per cent of the amount of the appropriation made for each project.

That seems to be law, a general law, establishing a basis upon which these particular employees shall be paid out of the appropriations. The Chair can well see how a limitation could be framed, but if it is to be a limitation it must be framed as a limitation. This is general legislative language. It establishes law. The point of order is sustained. The Clerk will read.

Mr. DAVIS of Minnesota. Mr. Chairman, I offer this item again. After the word "appropriations" in line 24, insert the words "herein made." Perhaps that will remedy the matter.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Minnesota: Page 6, after line 23, insert "All apportionments of appropriations herein made for the use of the municipal architect in payment for the services of draftsmen, assistant engineers, clerks, copyists, and inspectors, employed on construction work provided for by said appropriations, shall be based upon an amount not exceeding 2½ per cent of the amount of the appropriation made for each project."

Mr. BLANTON. Mr. Chairman, I make the point of order that it is legislation on an appropriation bill, not authorized by law. I call the attention of the Chair to the fact that it changes the system and pays them on a percentage basis. It is one of the worst systems you can have. On a building costing \$2,000,000 a percentage basis would absolutely exhaust any appropriation we can make here unless we know what we are doing. Most of these parties ought to be on an annual salary.

Mr. DAVIS of Minnesota. It is a limitation, and its purpose is to cut down what it has cost to make these plans and specifications heretofore. If you strike this out, each building will cost a quarter or a half more.

Mr. CRAMTON. Mr. Chairman, it is not the purpose to pay anyone a percentage for preparing the plans. The employees are either on a salary or per diem. The limit of cost of the plans is fixed. It is limited.

The CHAIRMAN. The Chair still believes this is legislation. If it were a limitation it should be couched in such language as this: "Provided, That not more than 2½ per cent shall be paid for certain specific purposes." The point of order is sustained. The Clerk will read.

Mr. CRAMTON. Mr. Chairman, I offer the paragraph again with this language: "Not more than 2½ per cent of appropriations herein made shall be available for the use," and so forth; then the balance of the paragraph down to and including the word "appropriations," in line 3 of page 7.

Mr. BLANTON. Now, that is better.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 6, after line 23, insert "Not more than 2½ per cent of the appropriations herein made for the use of the municipal architect"—

Mr. CRAMTON. "Not more than 2½ per cent of the appropriations herein made shall be available," and so forth.

Mr. BLANTON. You want to restrict the architect's office?

Mr. CRAMTON. If the gentleman from Texas will be quiet a moment I think we can get this right.

The Clerk read as follows:

Not more than 2½ per cent of the appropriations herein made shall be available for the use of the municipal architect in payment for the services of draftsmen, assistant engineers, clerks, copyists, and inspectors employed on construction work provided for by said appropriations.

Mr. BLANTON. Mr. Chairman, I make the point of order that the amendment is subject to a point of order, for this reason: If the Chair will look at that language closely, he will see that the purpose of this amendment is to make available 2½ per cent of all the appropriations made in this bill, or, in other words, of the full \$24,000,000 for this office alone.

Two and a half per cent is not confined to the appropriations for the architect's office. I tried to call the attention of the gentleman from Michigan [Mr. CRAMTON] to that point, but he would not let me. The words "appropriations for the municipal architect's office" ought to be in there, and not make the appropriations in the entire bill applicable to this one item. There is no authority of law for that.

Mr. CRAMTON. They are limited to those employed on construction work.

Mr. BLANTON. It should be of the "appropriations for the municipal architect's office." Those words ought to be in there.

The CHAIRMAN. The Clerk has shown me the amendment, and those words are in the paragraph.

Mr. BLANTON. May we have the Clerk report the amendment again, and I think my point will appeal even to the gentleman from Michigan.

The CHAIRMAN. The Clerk will report the amendment again. The Chair understands that language is in the amendment, but the Clerk will again report it.

The Clerk read as follows:

Not more than 2½ per cent of the appropriations herein made shall be available for the use—

Mr. BLANTON. Right there should be included the words "for the architect's office."

Mr. BEGG. No; that is not what he wants.

The CHAIRMAN. Let the Clerk finish reading the amendment.

The Clerk continued the reading as follows:

Appropriations herein made shall be available for the use of the municipal architect in payment for the services of draftsmen, assistant engineers, clerks, copyists, and inspectors employed on construction work.

The CHAIRMAN. The Chair agrees with the gentleman from Texas. The Chair thinks the gentleman from Michigan should modify the amendment in that respect.

Mr. CRAMTON. I think this will reach it. After the words "appropriations herein made" insert "for new construction or building repair work."

I want to emphasize something which I think the Chair understands but which the gentleman from Texas does not. There is one appropriation in this bill for the municipal architect's office, but that is not what we are talking about here. There are numerous items for new building construction and we want to limit the percentage of each of those building items which can go into architects' fees.

Mr. BEGG. The gentleman can accomplish what he has in mind by adding this after each one of those appropriations:

Provided, That not more than 2½ per cent of this appropriation shall be used for architects' expenses.

Mr. CRAMTON. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Clerk read as follows:

For incidental and all other general necessary expenses authorized by law, \$5,000.

Mr. CRAMTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 7, line 10, after the word "law" insert "of which not more than \$1,000 shall be available for enforcement of the act entitled 'An act for the relief of street-car motormen,' approved March 3, 1905."

Mr. BLANTON. Mr. Chairman, I make the point of order that that is legislation; that it is unauthorized by law and is not germane to this paragraph; and also that it is not a limitation. There is nothing in this paragraph—which is embraced in but two lines, lines 9 and 10, reading: "For incidental and all other general necessary expenses authorized by law, \$5,000"—that relates to the subject of the amendment at all. That appertains wholly to the subject of the Public Utilities Commission, and there is no relation between that subject and the subject of the gentleman's amendment.

Mr. CRAMTON. Mr. Chairman, I do not want to take a great deal of time. The act referred to is an act requiring street-car companies to inclose the vestibules of their cars, and a penalty is provided for failure to do so. Under the act creating the Public Utilities Commission the commission is charged with the supervision of matters pertaining to street-car companies. This does not give the commission any authority it does not have; it does not require them to spend any particular portion of this appropriation, but it is strictly a limitation that not more than so much shall be used for this particular purpose. It is such a worthy purpose that I had hoped to have the support of the gentleman from Texas.

The CHAIRMAN. Let the Chair make an inquiry of the gentleman from Michigan. The Chair has before him an act for the relief of street-car motormen, approved March 3, 1905. That act provides that each street-car company which operates street cars in the District of Columbia shall provide each of the same with a glass vestibule where the motorman does his work. Then there is the provision that every person or corporation who or which violates the provisions of the act shall be guilty of a misdemeanor, and upon conviction shall be fined and punished, and so forth. That makes the violation of the provisions of the act a misdemeanor. Now, just where does the Public Utilities Commission of the District get any authority?

Mr. CRAMTON. Since that time the Public Utilities Commission has been created and given general supervision of affairs concerning public utilities, and it would be entirely proper for that commission to expend money to secure evidence and to employ persons to take charge of the prosecution of such cases, even in the corporation counsel's office, and any incidental expenses of such a procedure could very well be

borne by this commission charged with the supervision of these common carriers. It is to be emphasized that the language does not confer authority but is a limitation upon expense.

Mr. BLANTON. If the Chair will hear me a moment, I will say that the act referred to merely provided for the violation of the law, with a criminal penalty attached, which places it in the corporation court and the corporation counsel has that duty to perform. The Public Utilities Commission has no function of looking for evidence for the corporation counsel. It would be ridiculous to hold that. Their function is definitely fixed by the organic act which created them and it does not involve this question at all. I do not see how the gentleman from Michigan can for one moment try to bring it within that act.

Mr. CHINDBLOM. Will the Chair permit a suggestion?

The CHAIRMAN. Yes.

Mr. CHINDBLOM. While the Public Utilities Commission, of course, would not have charge of the prosecutions, would it not be proper for the Public Utilities Commission to take steps to see to it that conveyances are equipped as required by some system of inspection, by rules and regulations, by issuing printed material advising the public utilities companies under their jurisdiction of the regulations established by them, and many other similar purposes? Could not in those ways expenditures be incurred under that act by the Public Utilities Commission?

Mr. CRAMTON. I might say, Mr. Chairman, here is a statute passed 19 years ago which has not yet been complied with by the Washington Railway & Electric Co. I presume this is the only city in the United States where weather as severe as we have here at times in the winter prevails where street cars are permitted to be operated with open vestibules, with motormen exposed to the storm and the sleet, standing in one place hour after hour operating a street car, with the safety of passengers intrusted to their keeping, and exposed to the cold and the storm. It is time that this condition was ended through some attention on the part of the public officials of the District in enforcing a law that Congress passed 19 years ago. While it is true the Public Utilities Commission can not go into the court, I think perhaps they have the authority to issue an order independent of this statute, but that they have not chosen to do, although for two years I have had the matter up with them. They do have the authority to employ men to go about the streets to check up on these companies and see to what extent they are operating cars that are in violation of this law, and that can be paid for from this appropriation.

Mr. BLANTON. I withdraw the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is withdrawn.

Mr. BLANTON. Mr. Chairman, I offer an amendment to the gentleman's amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON to the amendment offered by Mr. CRAMTON: At the end of the Cramton amendment insert: "Provided, That all orders issued by the Public Utilities Commission permitting electric street railways to increase the fares authorized by their charters are void, and no such orders hereafter shall be issued by such commission."

Mr. CRAMTON. Mr. Chairman, I make a point of order against the amendment to the amendment.

Mr. BLANTON. Mr. Chairman, I want to be heard on that a moment.

The CHAIRMAN. What is the gentleman's point of order?

Mr. CRAMTON. Mr. Chairman, this is the situation: If the amendment presented by me was in order, as I am sure the Chair was about to rule, it is no basis for an amendment such as the gentleman offers, which is of a legislative character. If my amendment was not in order—and I do not concede that, and I am sure the Chair agrees with me in that—still the amendment offered by the gentleman from Texas is not germane to the amendment which I offered, and hence my amendment would afford no basis for it.

Mr. BLANTON. Mr. Chairman, let us see about that. Here is a gentleman [Mr. CRAMTON] who offers an amendment which is out of order, clearly subject to a point of order, has no relation whatever to the subject, and under the rules of the House the very minute no point of order is made against it then an amendment to that amendment, which is likewise subject to a point of order, is in order. The Chair knows the precedents established here by our former distinguished colleague from Illinois, Mr. Mann. I think the distinguished Chairman was in the chair at that time.

Mr. BEGG. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. BEGG. Does the gentleman claim his amendment is germane to the amendment?

Mr. BLANTON. Certainly; because it applies to street cars and to the service they shall give to the people of this District. Here are the charters of these street railways, something that is very valuable that the people have granted these street railways, which prohibit them from charging more than 5-cent fares, and yet with orders of this Public Utilities Commission they have been robbing the people of this District for several years, charging them 8 cents, when the Nation's great metropolis of New York has been charging only 5 cents for going all over that tremendous city. It is a shame, it is an outrage, it is a disgrace to this Nation's Capital, and we ought to have a chance to vote on this amendment that would make these street car companies go back to their charters and not charge these people here in the District of Columbia more than 5 cents.

One of the street-car companies here is making a fortune in profits every year. They want but 5 cents and say they can get along with 5 cents, but the company charges 8 cents because the Public Utilities Commission wants it to do so. The amendment is clearly in order as an amendment to the gentleman's amendment, which itself was subject to a point of order.

Mr. CHINDBLOM. Will the Chair permit a suggestion?

The CHAIRMAN. Yes.

Mr. CHINDBLOM. The first part of the gentleman's amendment, of course, is merely a recital. It reads, "That all orders issued by the Public Utilities Commission permitting electric street railways to increase the fares authorized by their charters are void." That is merely an expression of opinion. It might not mean anything one way or the other.

Mr. BLANTON. It is a legislative expression which absolutely repeals everything they have done in that respect.

Mr. CHINDBLOM. Fortunately, the Supreme Court has very recently called a halt on the theory that legislative bodies by so-called legislative expressions can establish status of fact.

Mr. BLANTON. Will the gentleman yield? The Public Utilities Commission is nothing in the world but a creature and a servant of this Congress. We created it. It is our creature, our servant, and we are simply saying that the act of our servant is void and repudiated by the Congress.

Mr. CHINDBLOM. Mr. Chairman, if that act is void or has been void up to this time, there have been remedies at law, and proper steps could be taken with respect to any illegal acts, but I call the attention of the Chair to the balance of the amendment: "and no such orders hereafter shall be issued by such commission." That is clearly legislation.

Mr. BLANTON. Of course it is. But as an amendment to another legislative amendment, it is in order.

Mr. CHINDBLOM. Where is the authority for that? That is an amendment to the Public Utilities Commission act, if it is anything, and can not be considered.

Mr. BLANTON. It is in order under the rules as established by a long line of precedents of this House.

The CHAIRMAN. Even if it were true that all parts of the act of March 3, 1905, were before the House at this time, which the Chair does not concede or believe, that act only makes it a misdemeanor to fail to inclose the vestibules of street cars for proper shelter, and if the amendment of the gentleman from Michigan had been held not germane and subject to a point of order, the only amendment which would be proper to it would be a germane amendment; that is, germane to the substance of the amendment itself. That amendment seems to have in mind the allotment of \$1,000 for carrying into effect the act of March 3, 1905, while the amendment of the gentleman from Texas provides that all orders of the Public Utilities Commission permitting the street railway companies to increase fares are void. In other words, the amendment is not germane to the Cramton amendment.

Mr. BLANTON. Mr. Chairman, I offer another amendment. At the end of the Cramton amendment insert the following: "Provided, That no part of this appropriation shall be available to the Public Utilities Commission as long as any order by it shall be in force and effect permitting an increase of fares that may be charged by electric street railways greater than the amount of fares authorized in their respective charters."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLANTON to the amendment offered by Mr. CRAMTON: At the end of the Cramton amendment insert: "Provided, That no part of this appropriation shall be available to the Public Utilities Commission as long as any order by it shall be in force and

effect permitting an increase of fares that may be charged by electric street railways greater than the amount of fares authorized in their respective charters."

Mr. CHINDBLOM. Mr. Chairman, I make a point of order against the amendment. This proviso does not relate to the Cramton amendment.

The CHAIRMAN. The Chair sustains the point of order. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to. The Clerk read as follows:

For revision of the highway plan, \$1,500.

Mr. BEGG. Mr. Chairman, I move to strike out the last word. I do that to call to the attention of the House and ask the chairman of the committee to state whether or not he thinks the Rent Commission appropriation ought to be put in this bill at this point where it was carried last year, or whether he prefers to have it come in a deficiency bill.

Mr. DAVIS of Minnesota. In the deficiency bill.

Mr. BEGG. There is no question but that it will be brought in.

Mr. DAVIS of Minnesota. I do not think there is.

Mr. BLANTON. If the gentleman from Ohio will yield, I want to say that he need not worry about that because when the Supreme Court gets through with that so-called law, which we attempted to pass, there will be no necessity for an appropriation.

Mr. BEGG. We will have the Rent Commission a long while before a decision is handed down.

The Clerk read as follows:

Free public library.

Mr. CRAMTON. Mr. Chairman, I offer an amendment that the words "free public library," in line 11, page 8, shall be printed in caps instead of small caps.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert the words "free public library," on page 8, line 11, in capital letters.

The CHAIRMAN. Without objection, the amendment will be agreed to.

There was no objection.

The Clerk read as follows:

For personal services in accordance with the classification act of 1923, including the Takoma Park and southeast branch libraries, \$126,558.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. This paragraph in the present appropriation bill for the present fiscal year carries only \$84,140, while this item carries \$126,558. That is an awful big increase. If that increase is only authorized by the reclassification act, then that act is costing the people of this country a much larger amount than Members of Congress ever dreamed it would cost. On the preceding page, for the superintendent of weights and measures and markets, the first item is increased from \$24,160 to \$33,160. The engineer commissioner's office, lines 16 and 17, are increased from \$182,210 in the present bill to \$244,760 in this bill. Then the central garage from \$3,500 to \$4,260; the municipal architect's office from \$23,060 to \$30,100; the Public Utilities Commission from \$31,520 to \$36,120; the department of insurance from \$16,500 to \$17,860; the surveyor's office, \$26,000 to \$39,000 in one place, and increased from \$36,000 to \$49,920 in another place. Then under this item for the free Public Library, let me say that it was increased from \$84,140 to \$126,558.

Mr. DAVIS of Minnesota. Heretofore, before this bill was drawn, we had the bonus, which was carried in a separate bill, and now the bonus and the classification act are added together here.

Mr. BLANTON. But the bonus was considered merely a temporary war allowance.

Mr. DAVIS of Minnesota. Yes; but it is still in effect.

Mr. BLANTON. You are not only giving them the war bonus but a big additional appropriation that runs it up tremendously.

Mr. DAVIS of Minnesota. We are giving it what the classification bill provided for. It is law, and the gentleman can make a point of order against it if he wishes.

Mr. BLANTON. I am not going to make a point of order against it, because the Chairman would overrule it, but I think the people of the country ought to know that in every single

bill we are passing there is a big increase in salaries. There has not been a bill passed by this session of Congress that has not contained a great big increase in salaries.

Mr. DAVIS of Minnesota. Does the gentleman know any way to stop it? He ought to have killed the Lehlbach bill.

Mr. BLANTON. I fought hard against the Lehlbach bill.

Mr. DAVIS of Minnesota. I can not help that.

Mr. CRAMTON. The gentleman's recollection is a little faint there. He was not recorded as voting against the bill when it became a law.

Mr. BLANTON. I do not think we had a record vote upon it.

Mr. CRAMTON. On the last record vote there was upon it the gentleman was not recorded.

Mr. BLANTON. Possibly so; but I was against the bill and did everything I could to stop it, though it passed by an overwhelming majority, and if we had known what the Lehlbach bill was going to cost us probably it never would have passed; but you Members did not realize then what it was going to cost the people.

The Clerk read as follows:

CONTINGENT AND MISCELLANEOUS EXPENSES

For printing, checks, books, law books, books of reference, periodicals, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; purchase of laboratory apparatus and equipment and maintenance of laboratory in the office of the inspector of asphalt and cement; damages; livery, purchase, and care of horses and carriages or buggies and bicycles not otherwise provided for; horseshoeing; ice; repairs to pound and vehicles; use of bicycles by inspectors in the engineer department not to exceed \$800 in the aggregate; and other general necessary expenses of District offices, including the personal-tax board, harbor master, health department, surveyor's office, office of superintendent of weights, measures, and markets, department of insurance, and Board of Charities, including an allowance to the secretary of the Board of Charities, not exceeding the rate of \$26 per month, for the maintenance of an automobile to be furnished by him and used in the discharge of his official duties, \$47,900.

Mr. DAVIS of Minnesota. Mr. Chairman, that rate of "\$26" in line 24 should be changed to "\$20."

Mr. BLANTON. It was agreed to yesterday that that change should be made all the way through the bill, but the RECORD does not show that very clearly. After the vote was taken upon the two Hudson amendments, it was agreed that wherever the Clerk finds \$13 for motor cycles and \$26 for automobiles they should be changed to \$10 and \$20, respectively.

The CHAIRMAN. The Chair did not examine the RECORD closely about that.

Mr. DAVIS of Minnesota. I made the request and asked that it be done by the Clerk clear through the bill.

The CHAIRMAN. The RECORD will show it correctly now.

The Clerk read as follows:

For the exchange of such automobiles now owned by the District of Columbia as, in the judgment of the commissioners of said District, have or shall become unserviceable, \$3,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph contained in lines 18 to 21, inclusive. It is legislation on an appropriation bill and unauthorized by law. There is no law whatever authorizing these appropriations.

Mr. DAVIS of Minnesota. I do not think there is any question but that they have a right to exchange their automobiles and keep them in repair.

Mr. BLANTON. But it takes law for it, and there is no law for it.

Mr. DAVIS of Minnesota. It has been the custom and the law in every bill that I have ever known anything about.

Mr. BLANTON. The purpose of this paragraph is to buy new automobiles and turn in the old ones for the new ones, but it takes law, even for the exchange of Government property. It will be noticed in the paragraph just above that we allow \$28,000 for maintenance of automobiles, and now this paragraph is designed for new automobiles, to turn in the old ones and have them apply on some new ones.

The CHAIRMAN. Is it admitted by the chairman of the subcommittee that it would require legislation to buy new automobiles?

Mr. CRAMTON. No.

The CHAIRMAN. Where is the general law?

Mr. DAVIS of Minnesota. I do not know that there is any general authority.

Mr. BEGG. Mr. Chairman, I think the position that the Chair took yesterday is ample precedent to hold this in order,

namely, that the law that creates the department authorizes the head of a department to furnish automobiles if the Congress will make the appropriation.

The CHAIRMAN. The Chair thinks that the gentleman is correct, and the point of order is overruled.

Mr. BLANTON. That is an awful precedent to set.

The CHAIRMAN. The gentleman has his right to proceed in the regular way. The Clerk will read.

The Clerk read as follows:

All estimates of appropriations for the fiscal year 1926 on account of the purchase, exchange, maintenance, repair, and operation of horse-drawn and motor-propelled vehicles, and for allowances to employees for supplying their own vehicles, shall be submitted in three paragraphs under the head of "Contingent and miscellaneous expenses." One paragraph shall apply to motor-propelled vehicles, one to horse-drawn vehicles, and one to privately owned vehicles, and each shall be accompanied by detailed information showing numbers and distribution by types, and comparative actual and estimated cost figures for the fiscal years 1924, 1925, and 1926. This requirement shall not apply to the police and fire departments, or to the activities provided for herein which are not administered by the Commissioners of the District of Columbia.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph. It is clearly legislation unauthorized by law. It deals not only with this fiscal year but with succeeding fiscal years. If the Chair will look at the bottom of the page he will see that it provides for the fiscal years 1924, 1925, and 1926.

Mr. CRAMTON. Mr. Chairman, this is a paragraph that is effective only during the next fiscal year. It is effective only during the fiscal year 1925. It has to do only with the preparation of estimates for the fiscal year 1926, which, as the Chair knows, must be submitted to Congress before the 1st day of next December; so that the operation of this provision is not perpetual. It is effective only during the next fiscal year. In the preparation of those estimates and in their submission to Congress certain information has to be set forth with reference to the current fiscal year and for the next fiscal year and the one to follow, but that is the nature of information that is to be included in the estimates. The operation is entirely during the next fiscal year.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. The Congress has expressed its direction to the District authorities as to how they shall submit their information to Congress during this next fiscal year through the Budget.

Mr. BLANTON. Why has not the gentleman and his distinguished committee carried this heretofore? This is the first time this language has appeared in any appropriation bill.

Mr. CRAMTON. What does that prove?

Mr. BLANTON. It proves it is new legislation. The committee has not carried it before in this bill.

Mr. CRAMTON. If it had carried it annually for 50 years heretofore, if it is legislation the fact that it had been carried for 50 years before would not cure it.

Mr. BLANTON. I think it ought to come from the proper legislative committee and not be put in the bill by the Appropriations Committee.

Mr. CRAMTON. I admit it is a new paragraph but not legislation.

Mr. BEGG. Mr. Chairman, one word. The only reason I make any comment is just for the sake of what I believe is orderly procedure. If there is any appropriation about this paragraph, I would like to have it pointed out. If there is any limitation, I would like to have it pointed out. Now, the gentleman from Michigan says it is put in there for instruction. Why, necessarily it becomes legislation. I am not trying to sustain the point of order but I do want to sustain the rules, and I do not think we ought to go wild on them.

Mr. CRAMTON. I want to say it is not my purpose to argue that, but I am stating the facts as to the amendment. As a matter of fact, this language substantially was in the bill a year ago. It was stricken out in the Senate. It was promised by the District authorities that this information would be furnished to the Congress with this present bill. That promise was not kept, and hence the Appropriations Committee, in a desire to have before it information upon which it and the House could most intelligently act, have placed here this direction.

If this is legislation, it goes out on the point of order which the gentleman from Texas makes. I will say this, that I am amazed that the gentleman from Texas, preaching economy,

should object to a provision here in the interest of economy and which is intended to require these departments to furnish us information so we can know how much the automobiles are costing this Government.

SEVERAL MEMBERS. Rule!

Mr. BLANTON. One moment.

The CHAIRMAN. The Chair is ready to rule.

Mr. BLANTON. Permit me to reply to the reference which the gentleman made to me. The Chair has a right to hear me.

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. BLANTON. Mr. Chairman, I voted for the law that placed all the appropriations in the hands of these 35 gentlemen on the Appropriations Committee. It was my vote that helped to give them authority, and I am now merely trying to maintain the integrity of the rest of the committees of the House, the legislative committees, in protecting their jurisdiction.

The CHAIRMAN. This provision is manifestly legislation. It does not come within any of the exceptions of legislation on appropriation bills, and the point of order is sustained.

The Clerk read as follows:

For advertising notice of taxes in arrears July 1, 1924, as required to be given by the act of March 19, 1890, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised, \$5,500.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] Twenty-six Members are present, not a quorum.

Mr. DAVIS of Minnesota. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. SNELL having taken the chair as Speaker pro tempore, Mr. GRAHAM of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 8839 had come to no resolution thereon.

PERMISSION TO ADDRESS THE HOUSE

Mr. HILL of Maryland. Mr. Speaker, this being the anniversary of my birth, I ask unanimous consent to address the House for 45 seconds.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent to address the House for 45 seconds.

Mr. BLANTON. Is that a second for each year of the gentleman's life?

Mr. HILL of Maryland. Mr. Speaker, I deeply regret that that is the case. Mr. Speaker and gentlemen of the House, having lived a great many years and heard both good and poor speeches in great numbers, I ask unanimous consent to extend my remarks in the RECORD by printing an excellent address on Americanization delivered by the Hon. Nicholas Murray Butler before the Missouri Society at the Hotel Plaza in New York on the evening of April 29, 1924.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. BEGG. Mr. Speaker, I object.

Mr. HILL of Maryland. I regret that the gentleman from Ohio objects, and I yield back the remainder of my time.

PREPAREDNESS FOR PEACE

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech made by my colleague, Hon. HAMILTON FISH, before the New York League of Women Voters at Buffalo last Sunday.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks for the purpose indicated. Is there objection?

Mr. CONNALLY of Texas. Does that also contain the reply to his speech made by Mrs. Catt?

Mr. MACGREGOR. No. I did not propose to print the reply.

The SPEAKER. Is there objection?

There was no objection.

Mr. MACGREGOR. Mr. Speaker, under leave granted to extend my remarks, I insert a speech by Hon. HAMILTON FISH, Jr., before the fifth annual convention of the National League of Women Voters at Buffalo on April 27, 1924, which is as follows:

PREPAREDNESS FOR PEACE

It is a great honor to be invited to speak before the National League of Women Voters, and I appreciate doubly the opportunity to discuss

the peace problem and limitation of armament before an organization such as yours, which has given so much thought to solving these vital problems.

It is fitting and appropriate that your great organization, composed of patriotic and peace-loving American citizens, should meet in Buffalo to discuss ways and means to lessen the likelihood of war through limitation of armament and arbitration of international disputes, for it was in Buffalo on September 5, 1901, the very day President McKinley was assassinated, that he gave out his famous epoch-making message to the American people to the effect that the period of aloofness and exclusiveness was past, and advocated the settlement of all misunderstandings and disputes among nations by international arbitration.

We are also reminded that the city of Buffalo, the outpost of the Empire State and the sentinel city of the United States on the Canadian border, is a visible example of the result of the arrangement for limitation of armament entered into by the United States and Canada in 1817. Buffalo is one of the main beneficiaries of this limitation of armament agreement and has been far better protected than if there had been a hundred forts built for her defense. The growth of Buffalo is a mute testimonial of the efficacy of this agreement of 1817, which is the most successful example of its kind in all history and has made for peace and good will for over a century on our common borderland of 3,000 miles.

With the exception of the veterans of the World War who took part in actual battle and saw for themselves the horrors of war, no element in our body politic is more concerned with bringing about peaceful relations among nations and lessening the opportunities and likelihood of war than the women of America. That is why I am glad to leave Washington and come all the way to Buffalo to add my voice in support of President Coolidge's proposed conference to limit armaments.

I believe in preparedness. I believe in a small, efficient Regular Army, with a goodly number of officers; a large federalized National Guard; and an Officers' Reserve Corps with sufficient appropriations to provide two weeks' training annually for at least 10,000 of the 80,000 reserve officers. I have no sympathy or patience with the militarists, on the one hand, who are constantly seeking to increase our Military Establishment and perceive dire disaster in any move for peace and limitation of armaments, or with the pacifists, on the other hand, who would have America defenseless and advocate the doctrine of turning the other cheek. Without fear of contradiction, I say we are far better prepared for national defense than in any period of our history except during actual conflict.

I put my faith in preparedness for peace, believing as I do that the most vital unsolved problem to-day is the achievement and maintaining of world peace. I believe that the United States, because of its position of leadership in the world, has a great moral responsibility to exert its influence and power to promote peaceful relations between nations and show by its example that peace based on justice, cooperation, and conciliation is the only kind of peace that is lasting and worth having.

Let us prepare for peace by inculcating the right kind of peace ideals in the minds of the coming generation and by glorifying peace. Let us reveal the horrors of war and teach the truth that war is the blackest, least excusable, and most damnable crime against man and God. There can be no peace without there being a genuine desire for peace, and that will come when the women of the world unite in demanding proportional limitation of armaments and the settlement of international disputes by means of international arbitration.

I am going to let you in on a secret if you promise not to tell the Secretary of State, Mr. Hughes: It was the overwhelming, persistent, and insistent demand of the women of America on the platform, by petitions, and by letters to Congress and to ex-President Harding that caused the calling of the Washington conference to limit naval armaments. I believe that credit should be given where credit is due, and your organization was largely responsible not only for having the conference called but for arousing public opinion in support of proportional limitation of naval armaments. In my opinion it was the greatest step toward peace since the armistice, and a far greater achievement than anything the League of Nations has accomplished.

The agreement to proportionally reduce the number of battleships wiped away overnight competitive rivalry and all thought of war between Japan and the United States—so much so that even now in the stress of the immigration question there is no jingo talk of resorting to war on either side. The Washington conference accomplished much and saved the taxpayers \$250,000,000 annually, but the precedent it established was of even more importance by showing how and what would be done to limit armaments and prevent war-producing competition in naval armament.

I believe that widespread education against war is an effective method of preventing war, and should be encouraged by the women of America. War is a blight, a curse to the world, and the only hope is the maintenance of peace through the aid of the united and constructive effort of such organizations as yours.

There is no one solution to the peace problem. I believe that the entrance of the United States into the World Court would be a step in the right direction. The American people, however, should be fully informed regarding the exact nature of the duties and functions of the court and not told that it will bring about the millennium, but is only a step toward adjusting international disputes and would be of psychological value in promoting peace. I hope in the near future that the great powers will agree to sign the compulsory arbitration clause, which would go a long way toward solving the peace problem.

I am not an irreconcilable, but in my opinion it would be the part of wisdom for the United States to keep out of the League of Nations for the present at least, until European nations begin to disarm, bond their debts, and signify a desire for peace. Article V of the league covenant requires unanimous consent of all nations in the league before action by the league can take place. This is just the same as if unanimous consent were required to put a bill through the Senate. It would be obviously impossible to pass any measure of importance under these conditions. That is why I am opposed to the league, because as constituted to-day it has no means of achieving or preserving the peace of the world. It is simply the enforcement agent for the Versailles treaty, without the power to amend any of its harsh or unworkable territorial provisions. I am also opposed to entering the league without a reservation to Article X guaranteeing the political independence and the territorial integrity of the members.

The league is impotent and powerless as at present constituted to limit armaments or settle major issues, and by staying out of the league we retain our freedom of action to call international conferences for the purpose of promoting world peace. The American people delivered their verdict on the league issue four years ago and there has been no new evidence produced to cause a change of sentiment. It is more than ever evident that the noble conception of the league has been turned into a combination of the victors to exploit their own advantage. The constitution of the league was so framed as to render futile any efforts to remedy or amend the Versailles covenant. The league is not a judicial organization like the Permanent Court of International Justice, but political, dominated by England and France. Were we to enter the league we could not help taking sides on questions which would involve and entangle us hopelessly in European jealousies, ambitions, and intrigues.

I introduced on January 8 a resolution calling for another limitation of armament conference, and believe that the time will soon be ripe for arousing the women of America to united and concerted action to make such a conference a success. The Premier of England, Ramsay MacDonald, has repeatedly shown his broad vision and earnest desire for peace by advocating further limitation of armaments, and it is to be hoped that the Dawes report will furnish a basis for an early settlement of the reparation question, without which there can be no peace in Europe.

In my opinion President Coolidge has a wonderful opportunity, supported by the women of America, to take an unselfish and constructive step toward promoting world peace by calling a conference in Washington to further limit armaments, which can not come too soon for the good of the world.

The present appalling situation in Europe can not last long without an appeal to the sword. The racial and national hatred there amounting to blood vengeance is too strong to be kept down by coercion and the rule of foreign bayonets. The rule of force especially applied from without can not endure and is only a passing phase in countries where civil rights and liberties have once flourished. Revolts, civil wars, foreign wars, and wars of liberation are bound to occur and reoccur for the next 30 years, unless the representatives of the big nations can reach an agreement based on justice, conciliation, and cooperation. That is the only road to peace; there can be no peace unless there is a genuine desire for peace. There can be no desire for peace in Europe with militarism gone mad, and wars and rumors of war the daily food of the entire continental population. All-militarism is brutal and creates war psychology wherever it exists. In heavily armed nations there is unconsciously developed a spirit of conquest, imperialism, and belief in force. In nations like the United States with limited armaments our belief in the principles of justice, conciliation, and cooperation make for enduring peace. On our northern frontier of 3,000 miles, as emphasized at the beginning of my remarks, there is no need for a single soldier, a single gun, or a single fort, because of our belief in international righteousness and our desire for peace.

The first step toward developing a desire for peace in Europe is to call a conference, and the only way to call an international conference of the leading nations is to call it without fear, favor, or apologies. The preservation of international peace should be the continuous policy of all civilized nations, and no nation need apologize for advocating and furthering such a policy by all means within its power, particularly through its moral influence.

I will gladly cooperate with the League of Women Voters in any constructive effort to promote peaceful relations and good will among the

nations of the earth, as I believe that the preservation of international peace is the most important and vital issue affecting the welfare of humanity and the entire structure of our modern civilization.

ORDER OF BUSINESS

Mr. DAVIS of Minnesota. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, will there be anything to-morrow other than the District appropriation bill?

Mr. DAVIS of Minnesota. I hope not.

Mr. BEGG. I will say to the gentleman that there will not be. There might be a conference report or something privileged.

Mr. BLANTON. Time was also allowed to the gentleman from Michigan [Mr. MAPES]—20 minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

JUDGE DAVID PATTERSON DYER

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record concerning former Representative David Patterson Dyer.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, on Tuesday afternoon, terminating a long and eventful career at the ripe age of four score and six years, Judge David Patterson Dyer, a former Member of this House, passed peacefully to his great reward.

Judge Dyer was the last survivor of the Forty-first Congress, which convened in 1869, and the beginning of his term antedated by two years the historic service of Speaker Cannon, of Illinois, of whom he was always an ardent admirer.

A Virginian by birth and a Missourian by adoption, he represented and exemplified the highest ideals and the best traditions of both States.

His public career began in 1860 with his election as district attorney, and for the remaining 64 years of his life he was prominently identified with the public life of the State. He was elected to the State legislature in 1862 and reelected in 1864, and while serving in that capacity recruited the Forty-ninth Regiment of Missouri Volunteers, and as its colonel commanded it through the battles of an active and successful campaign in Missouri and the South. At the close of the war he was elected to Congress and served one term, beginning in 1869. He was an active supporter of President Grant, who appointed him United States attorney for the eastern district of Missouri, where he won immediate fame in the prosecution of the notorious whisky ring.

Four years later he was the Republican candidate for governor, but was defeated and returned to his law practice, where he remained until again appointed United States attorney for the eastern district by President Roosevelt. He was reappointed in 1906 and the following year was elevated to the Federal judgeship. He died as he wished to die—in the harness, holding court but two days before his death.

Few men have possessed so generally the genuine affection of the people of his section. He was particularly loved by his old neighbors, and his home-coming to attend service at old Sand Run Church was an annual event and was looked forward to as a red-letter day on the calendar of three counties. His name and career enrich and embellish one of the longest and most interesting chapters in the history of Missouri.

Able, brilliant, democratic, and of magnetic personality, his name has been a household word throughout the State for more than a generation. He was true to every trust and faithful to every obligation—soldier, statesman, jurist, gentleman.

WITHDRAWAL OF PAPERS

Mr. MACGREGOR, by unanimous consent, was granted leave to withdraw the papers on file in connection with the bill H. R. 6562, a pension bill, no adverse report having been made thereon.

ENROLLED BILL SIGNED

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 7959. An act to provide adjusted compensation for veterans of the World War, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. PERLMAN, for four days, on account of illness.

To Mr. JOHNSON of Texas, for to-morrow, May 3, on account of important business.

To Mr. CAMPBELL, for 10 days, on account of the illness of his wife.

ADJOURNMENT

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 13 minutes p. m.) the House adjourned until to-morrow, Saturday, May 3, 1924, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

449. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment of the United States for the fiscal year ending June 30, 1924, for expenses of inquiries and investigations ordered by the Senate (H. Doc. No. 254); to the Committee on Appropriations and ordered to be printed.

450. A communication from the President of the United States, transmitting two communications from the Postmaster General of the United States, submitting estimate of appropriations in the sum of \$6,413.81, to pay 118 claims which have been adjusted and require an appropriation for their payment (H. Doc. No. 255); to the Committee on Appropriations and ordered to be printed.

451. A communication from the President of the United States, transmitting a communication from the Acting Secretary of Commerce, submitting a claim of the Oregon Short Line Railroad for damages to privately owned property in the sum of \$487.39, which claim has been adjusted by the Director of the Coast and Geodetic Survey, and which require an appropriation for their payment (H. Doc. No. 256); to the Committee on Appropriations and ordered to be printed.

452. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the fiscal year 1923, \$953.23, and supplemental estimates of appropriations for the fiscal year ending June 30, 1924, \$51,000, for the Department of Justice, amounting in all to the sum of \$51,953.23; also a draft of proposed legislation affecting the appropriation for 1925, to authorize the lease of court rooms in New York City for a period of five years (H. Doc. No. 257); to the Committee on Appropriations and ordered to be printed.

453. A communication from the President of the United States, transmitting a communication from the Secretary of the Navy, submitting an estimate of appropriation in the sum of \$1,947.33 to pay eight claims which he has adjusted and which require an appropriation for their payment (H. Doc. No. 258); to the Committee on Appropriations and ordered to be printed.

454. A communication from the President of the United States, transmitting two communications from the Secretary of War, submitting claims for damages to or loss of privately owned property in the sum of \$4,496.23 of seven claimants, which have been adjusted and which require an appropriation for their payment (H. Doc. No. 259); to the Committee on Appropriations and ordered to be printed.

455. A communication from the President of the United States, transmitting a communication from the Secretary of the Navy, submitting an estimate of appropriation in the sum of \$40,149.04 to pay claims of Jeremiah J. Kelley and 49 others, which have been adjusted and which require an appropriation for their payment (H. Doc. No. 260); to the Committee on Appropriations and ordered to be printed.

456. A communication from the President of the United States, transmitting a communication from the Secretary of the Navy, submitting an estimate of appropriation in the sum of \$6,316.74 to pay claims of the Texas Oil Co., Port Arthur, Tex., and 22 other claimants, which have been adjusted and which require an appropriation for their payment (H. Doc. No. 261); to the Committee on Appropriations and ordered to be printed.

457. A communication from the President of the United States, transmitting a communication from the Acting Secretary of Commerce, submitting claims for damages to privately owned property in the sum of \$390.64 of four claimants, which claims have been adjusted by the Commissioner of Lighthouses, and which require an appropriation for their

payment (H. Doc. No. 262); to the Committee on Appropriations and ordered to be printed.

458. A communication from the President of the United States, transmitting a communication from the Treasury Department under date of March 4, 1924, submitting the claim of Richard P. Moore in the sum of \$42.82 which has been adjusted and which require an appropriation for its payment (H. Doc. No. 263); to the Committee on Appropriations and ordered to be printed.

459. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State for the fiscal year ending June 30, 1924, to defray the cost of representation of the United States at the meeting of the Inter-American Committee on Electrical Communications to be held in Mexico City, Mexico, beginning May 27, 1924, \$30,000 (H. Doc. No. 264); to the Committee on Appropriations and ordered to be printed.

460. A communication from the President of the United States, transmitting supplemental and deficiency estimates of appropriations for the District of Columbia for the fiscal year ending June 30, 1924, and for prior fiscal years, amounting to \$359,373.20, together with certain proposed legislation (H. Doc. No. 265); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. FROTHINGHAM: Committee on Military Affairs. H. R. 5722. A bill authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes; with amendments (Rept. No. 627). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 9033. A bill declaring an emergency in respect of certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes; without amendment (Rept. No. 631). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLY: Committee on the Post Office and Post Roads. H. R. 8586. A bill to provide for the free transmission through the mails of certain publications for the blind; without amendment (Rept. No. 633). Referred to the Committee of the Whole House on the state of the Union.

Mr. McSWAIN: Committee on Military Affairs. H. R. 5567. A bill to provide for the inspection of the battle fields in and around Fredericksburg and Spotsylvania Courthouse, Va.; without amendment (Rept. No. 634). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WILLIAMS of Michigan: Committee on War Claims. S. 2357. An act for the relief of the Pacific Commissary Co.; with an amendment (Rept. No. 625). Referred to the Committee of the Whole House.

Mr. WILLIAMS of Michigan: Committee on War Claims. H. R. 2336. A bill for the relief of F. J. Belcher, jr., trustee for Ed Fletcher; without amendment (Rept. No. 626). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 2016. A bill for the relief of William M. Phillipson; without amendment (Rept. No. 628). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 5061. A bill for the relief of Russell Wilmer Johnson; without amendment (Rept. No. 629). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 5456. A bill granting six months' pay to Lucy B. Knox; without amendment (Rept. No. 630). Referred to the Committee of the Whole House.

Mr. MAGEE of Pennsylvania: Committee on Naval Affairs. H. R. 3736. A bill for the relief of James J. Meehan; without amendment (Rept. No. 632). Referred to the Committee of the Whole House.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 6442. A bill for the relief of William H. Armstrong; with an amendment (Rept. No. 635). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SINNOTT: A bill (H. R. 9028) to authorize the addition of certain lands to the Whitman National Forest; to the Committee on the Public Lands.

Also (by request), a bill (H. R. 9029) to promote the mining of potash on the public domain; to the Committee on the Public Lands.

Also (by request), a bill (H. R. 9030) to provide for the consolidation of the land service in Alaska, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 9031) to amend section 5 of an act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916; to the Committee on the Public Lands.

By Mr. NEWTON of Missouri: A bill (H. R. 9032) to amend section 1015 of the Revised Statutes; to the Committee on the Judiciary.

By Mr. HAUGEN: A bill (H. R. 9033) declaring an emergency in respect of certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes; to the Committee on Agriculture.

By Mr. GREEN of Iowa: A bill (H. R. 9034) to provide for the regauging of distilled spirits, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIEST: A bill (H. R. 9035) reclassifying the salaries of postmasters and employees of the Postal Service and readjusting their salaries and compensation on an equitable basis, and for other purposes; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 9036) for the relief of Henry Simons; to the Committee on Military Affairs.

By Mr. CARTER: A bill (H. R. 9037) granting an increase of pension to Thomas V. Hunt; to the Committee on Pensions.

By Mr. HULL of Iowa: A bill (H. R. 9038) granting a pension to Amy H. Brown; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 9039) for the relief of David F. Reid; to the Committee on Military Affairs.

By Mr. MUDD: A bill (H. R. 9040) for the relief of Clarence C. Cadell; to the Committee on Claims.

Also, a bill (H. R. 9041) granting a pension to Robert Gore; to the Committee on Pensions.

Also, a bill (H. R. 9042) granting an increase of pension to Frank Coalman; to the Committee on Pensions.

Also, a bill (H. R. 9043) granting an increase of pension to Margaret W. Dexter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9044) granting an increase of pension to Harriet E. Dennison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9045) granting a pension to Nannie Ogle Bird; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 9046) for the relief of Philip Osburg; to the Committee on Claims.

By Mr. RUBEY: A bill (H. R. 9047) granting an increase of pension to Nancy C. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9048) granting a pension to Julia Dugan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9049) granting a pension to Lettie Painter; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 9050) granting a pension to Emily J. Foust; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 9051) for the relief of Joseph H. Seymour; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 9052) granting a pension to William Smallwood; to the Committee on Pensions.

By Mr. WARD of New York: A bill (H. R. 9053) granting a pension to Anna Smith; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2640. By Mr. BOX: Petition of S. W. Sinclair and sundry persons of Marshall, Tex., members of the International Machinists' Association, asking for the enactment of the Brookhart-Hull bill (S. 742, H. R. 2702), requiring that all strictly

military supplies be manufactured in Government-owned navy yards and arsenals; to the Committee on Military Affairs.

2641. By Mr. CRAMTON: Petition of the members of the Methodist Episcopal Church of Romeo, Mich., and the Woman's Christian Temperance Union of Romeo, Mich., protesting against any modification of the eighteenth amendment and the Volstead Act; to the Committee on the Judiciary.

2642. By Mr. CULLEN: Petition of Openers and Packers' Association of the United States Customs Service, New York City, asking for a living wage, and also favoring House bill 8202, to amend the retirement act, providing for a pension after 30 years' service; to the Committee on the Civil Service.

2643. Also, petition of the Associated Traffic Clubs of America, opposing the making of freight rates out of political expediency, and viewing with great concern anything that would restrict the Interstate Commerce Commission in the free and unbiased consideration of any and all matters coming before it; to the Committee on Interstate and Foreign Commerce.

2644. By Mr. DARROW: Petition of 138 employees of the Wayne Junction car shop of the Philadelphia & Reading Railway Co., protesting against the adoption of the Howell-Barkley labor bill; to the Committee on Interstate and Foreign Commerce.

2645. By Mr. FENN: Petition of the Manufacturers' Association of Hartford County, Conn., protesting against the proposal to discharge the Committee on Interstate and Foreign Commerce from further consideration of House bill 7358; to the Committee on Interstate and Foreign Commerce.

2646. Also, petition of the Employers' Association of Hartford, Conn. (Inc.), comprising 300 business concerns, protesting against the proposal to discharge the Committee on Interstate and Foreign Commerce from further consideration of House bill 7358; to the Committee on Interstate and Foreign Commerce.

2647. Also, petition of the Connecticut Chamber of Commerce, objecting to the passage of the so-called Fitzgerald bill (H. R. 487) with reference to workmen's compensation; to the Committee on Interstate and Foreign Commerce.

2648. By Mr. FULLER: Petition of the American Federation of Railroad Workers, Harsimus Lodge, No. 99, protesting against the passage of the Howell-Barkley bill (H. R. 7358); to the Committee on Interstate and Foreign Commerce.

2649. Also, petition of the Illinois Agricultural Association, favoring the enactment of the McNary-Haugen bill; to the Committee on Agriculture.

2650. Also, petition of the Millers' National Federation, opposing the McNary-Haugen bill; to the Committee on Agriculture.

2651. Also, petitions of the Illinois Valley Manufacturers' Club, of La Salle; the Ingersoll Milling Machine Co., of Rockford; L. E. Block, chairman board of directors of the Inland Steel Co., of Chicago; and George D. Roper, of Rockford, all of Illinois, opposing amendment of the transportation act; to the Committee on Interstate and Foreign Commerce.

2652. Also, petition of the American Farm Bureau Federation, opposing the proposed tax on radio receiving sets; to the Committee on Ways and Means.

2653. By Mr. GALLIVAN: Petition of American Federation of Railroad Workers, Chicago, Ill., protesting against the Howell-Barkley bill; to the Committee on Interstate and Foreign Commerce.

2654. Also, petition of Harsimus Lodge, No. 99, American Federation of Railroad Workers, Jersey City, N. J., protesting against passage of the Howell-Barkley bill; to the Committee on Interstate and Foreign Commerce.

2655. By Mr. SITES: Petition of citizens of Carlisle and Cumberland County, Pa., requesting favorable consideration of House bill 3799, providing an increase in pension for Mr. B. F. Cornman, of Carlisle; to the Committee on Invalid Pensions.

compensation for veterans of the World War, and for other purposes, and it was subsequently signed by the President pro tempore.

CALL OF THE ROLL

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Fess	King	Shields
Ashurst	Fletcher	Ladd	Shipstead
Ball	Frazier	Lodge	Shortridge
Bayard	George	McKellar	Simmons
Borah	Glass	McKinley	Smith
Brandegee	Gooding	McLean	Smoot
Brookhart	Hale	McNary	Stanley
Bruce	Harrell	Moses	Stephens
Bursum	Harris	Neely	Sterling
Cameron	Harrison	Norris	Swanson
Capper	Heflin	Oddie	Underwood
Caraway	Howell	Overman	Wadsworth
Copeland	Johnson, Calif.	Pepper	Walsh, Mass.
Cummins	Johnson, Minn.	Phipps	Walsh, Mont.
Dale	Jones, N. Mex.	Pittman	Warren
Dial	Jones, Wash.	Ransdell	Watson
Dill	Kendrick	Reed, Pa.	Weller
Ferris	Keyes	Sheppard	Willis

Mr. SMOOT. I wish to announce that the senior Senator from Kansas [Mr. CURTIS] is detained from the Senate on official business. I ask that the announcement may stand for the day.

Mr. JONES of Washington. I desire to announce that the Senator from Wisconsin [Mr. LENROOT] is absent owing to illness. I ask to have this announcement stand for the day.

The PRESIDENT pro tempore. Seventy-two Senators having answer to their names, there is a quorum present.

PERSONAL EXPLANATION—VOTE ON RADIO AMENDMENT

Mr. FESS. Mr. President, yesterday on the vote upon the radio amendment I was paired with the junior Senator from Mississippi [Mr. STEPHENS]. I inadvertently voted and failed to announce the pair. I make the statement at this time that he would have voted against the committee amendment had he been present, and if the rule permitted I would withdraw my vote in order to take care of him. My vote, of course, did not affect the result. It was an inadvertence on my part.

SPECULATIONS IN WHEAT

The PRESIDENT pro tempore laid before the Senate the following communication from the Secretary of Agriculture, which was ordered to be printed in the RECORD, and, with the accompanying report, referred to the Committee on Agriculture and Forestry:

DEPARTMENT OF AGRICULTURE,
Washington, May 2, 1924.

HON. ALBERT B. CUMMINS,

President pro tempore, United States Senate.

DEAR SENATOR CUMMINS: In response to Senate Resolution No. 9, adopted by Senate on January 8, 1924, I have the honor to transmit herewith the report of the Grain Futures Administration under the grain futures act of September 21, 1922, with respect to trading in grain futures on the Chicago Board of Trade.

Sincerely yours,

HENRY C. WALLACE, Secretary.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate a communication in the nature of a petition of the Trenton Council of Churches, of Trenton, N. J., praying that a more satisfactory method of dealing with the problem of Japanese immigration be found than that contained in pending immigration legislation, etc., which was referred to the Committee on Immigration.

He also laid before the Senate a memorial of the National Association of Manufacturers, remonstrating against ratification of the convention for the protection of trade-marks signed at Santiago, Chile, April 28, 1923, which was referred to the Committee on Patents.

He also laid before the Senate a petition of the constituent bodies of the Federal Council of the Churches of Christ in America, and other bodies, praying for the participation of the United States in the Permanent Court of International Justice, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a petition of the National Council of Administration, Veterans of Foreign Wars of the United States, praying that the next appointee to the Civil

SENATE

SATURDAY, May 3, 1924

(Legislative day of Thursday, April 24, 1924)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the Speaker of the House had signed the enrolled bill (H. R. 7959) to provide adjusted